

CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-THIRD SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 2, 1899. }

Pursuant to the requirements of the Constitution, at the hour of twelve o'clock M., the Assembly of the thirty-third session of the Legislature of the State of California was called to order by S. J. Duckworth, Chief Clerk of the Assembly.

In conformity with law the following officers were present, viz.:

S. J. Duckworth, Chief Clerk; R. Q. Wickham, Minute Clerk; W. O. Banks, Sergeant-at-Arms.

In the absence of a Chaplain, the Chief Clerk requested the members and officers of the Assembly, each in his own way, to address the Throne of Grace in humble supplication for the wisdom required to properly and acceptably discharge the duties of their respective positions.

The utmost quietude prevailed for two minutes.

RESOLUTION.

By Mr. Dibble:

Resolved, That each member take his seat and oath of office on the roll call as presented by the Secretary of State.

Adopted.

APPOINTMENTS.

The Chief Clerk announced the following appointments:

By Sergeant-at-Arms W. O. Banks—W. H. Dahle to be Assistant Sergeant-at-Arms.
By Chief Clerk S. J. Duckworth—To be Postmaster, W. T. Hamilton; to be Gatekeepers, Daniel McPartland, W. S. Reyner, and J. Hocking; to be Pages, A. A. Friedlander, W. W. Benchley, and G. W. M. Condon.

MOTION.

Mr. Dibble moved that the members present themselves at the desk, ten at a time, to take their oath of office before Superior Judge Hart.

So ordered.

The roll was called and the following members-elect presented themselves and were duly qualified by taking the following oath of office, administered by the Hon. E. C. Hart, Judge of the Superior Court of Sacramento County:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and will faithfully discharge the duties of member of the Assembly of the thirty-third session of the California Legislature to the best of my ability. So help me God.

First District—Del Norte and Siskiyou: C. B. Jilson.

Second District—Humboldt: G. D. Marvin.

Third District—Humboldt: C. H. Boynton.

Fourth District—Tehama and Trinity: W. H. La Barea.

Fifth District—Shasta and Modoc: James H. Beecher.

Sixth District—Lassen, Plumas, and Sierra: G. G. Clough.

Seventh District—Butte: Richard De Lancie.

Eighth District—Yuba and Sutter: C. G. Raub.

Ninth District—Mendocino: J. B. Sanford.

Tenth District—Colusa, Glenn, and Lake: F. B. Glenn.

Eleventh District—Yolo: G. W. Pierce.

Twelfth District—Nevada: W. S. Robinson.

Thirteenth District—Placer: W. B. Iardner.

Fourteenth District—El Dorado: R. S. Raw.

Fifteenth District—Amador: A. Caminetti.

Sixteenth District—Sonoma: H. M. Le Baron.

Seventeenth District—Sonoma: W. F. Cowan.

Eighteenth District—Napa: Owen Wade.

Nineteenth District—Solano: Alden Anderson.

Twentieth District—Sacramento: Grove L. Johnson.

Twenty-first District—Sacramento: Wm. D. Knights.

Twenty-second District—Sacramento: Morris Brooke.

Twenty-third District—Marin: J. W. Atherton.

Twenty-fourth District—Contra Costa: C. M. Belshaw.

Twenty-fifth District—San Joaquin: F. E. Dunlap.

Twenty-sixth District—San Joaquin: A. E. Muentner.

Twenty-seventh District—Calaveras: Harvey S. Blood.

Twenty-eighth District—San Francisco: L. Hoey.

Twenty-ninth District—San Francisco: C. F. Kenneally.

Thirtieth District—San Francisco: L. A. Devoto.

Thirty-first District—San Francisco: D. S. O'Brien.

Thirty-second District—San Francisco: J. M. Hanley.

Thirty-third District—San Francisco: E. D. Sullivan.

Thirty-fourth District—San Francisco: J. J. Crowley.

Thirty-fifth District—San Francisco: W. H. Cobb.

Thirty-sixth District—San Francisco: A. H. Merrill.

Thirty-seventh District—San Francisco: W. E. White.

Thirty-eighth District—San Francisco: W. H. Rickard.

Thirty-ninth District—San Francisco: J. S. Wardell.

Fortieth District—San Francisco: H. W. Miller.

Forty-first District—San Francisco: Henry C. Dibble.

Forty-second District—San Francisco: L. A. Henry.

Forty-third District—San Francisco: Fred Lundquist.

Forty-fourth District—San Francisco: M. H. Barry.

Forty-fifth District—San Francisco: Eugene Sullivan.

Forty-sixth District—Alameda: Wm. McDonald.

Forty-seventh District—Alameda: Joseph R. Knowland.

Forty-eighth District—Alameda: Joseph McD. Kelley.

Forty-ninth District—Alameda: A. A. McKeen.

Fiftieth District—Alameda: John A. Bliss.

Fifty-first District—Alameda: Howard E. Wright.

Fifty-second District—San Mateo: H. W. Brown.

Fifty-third District—Santa Cruz: George G. Radcliff.

Fifty-fourth District—Santa Clara: W. A. Clark.

Fifty-fifth District—Santa Clara: John D. Kelsey.

Fifty-sixth District—Santa Clara: M. E. Arnerich.

Fifty-seventh District—Stanislaus and Merced: G. R. Stewart.

Fifty-eighth District—Tulolumne and Mariposa: A. M. McDonald.

Fifty-ninth District—San Benito: C. G. Cargill.

Sixtieth District—Alpine, Inyo, and Mono: P. H. Mack.

Sixty-first District—Monterey: F. P. Feliz.

Sixty-second District—Fresno and Madera: John M. Griffin.

Sixty-third District—Fresno and Madera: John Fairweather.

Sixty-fourth District—Tulare and Kings: E. T. Cosper.

Sixty-fifth District—Tulare: W. P. Boone.

Sixty-sixth District—Kern: R. C. Dale.
Sixty-seventh District—San Luis Obispo: J. K. Burnett.
Sixty-eighth District—Santa Barbara: C. W. Merritt.
Sixty-ninth District—Ventura: Chas. B. Greenwell.
Seventieth District—Los Angeles: W. S. Melick.
Seventy-first District—Los Angeles: O. H. Huber.
Seventy-second District—Los Angeles: Joseph M. Miller.
Seventy-third District—Los Angeles: Wm. Mead.
Seventy-fourth District—Los Angeles: L. H. Valentine.
Seventy-fifth District—Los Angeles: N. P. Conrey.
Seventy-sixth District—Orange: H. W. Chynoweth.
Seventy-seventh District—Riverside: A. S. Milice.
Seventy-eighth District—San Bernardino: Frank P. Meserve.
Seventy-ninth District—San Diego: L. R. Works.
Eightieth District—San Diego: A. S. Crowder.

‡ RESOLUTION.

By Mr. Johnson:

Resolved, That the standing rules of the thirty-second session be and they are hereby adopted as the temporary rules of this House until otherwise ordered, with the following changes, to wit: "1899" shall be inserted in lieu of "1897" wherever these latter figures occur.

Adopted.

ELECTION OF SPEAKER.

The Chief Clerk announced that nominations for Speaker were in order.

Mr. Valentine nominated Mr. Howard E. Wright of Alameda for Speaker.

Mr. Robinson seconded the nomination of Mr. Wright.

Mr. Mack nominated Mr. Wm. Mead of Los Angeles.

Mr. Sanford seconded the nomination of Mr. Mead.

The roll was called, with the following result:

For Wright—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, and Works—57.

For Mead—Messrs. Boone, Brooke, Burnett, Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and Wright—18.

Mr. Wright, having received a majority of all the votes cast, was declared elected Speaker of the Assembly.

Mr. Robinson moved to appoint a committee of three to escort the Speaker-elect to the chair.

The Chief Clerk named as such committee Messrs. Robinson, Wade, and Feliz.

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem. were declared in order.

Mr. Belshaw nominated Mr. Alden Anderson of Solano.

Mr. Hanley nominated Mr. Eugene D. Sullivan.

The roll was called, with the following result:

For Anderson—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Brown, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rick-

ard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—56.

For Sullivan—Messrs. Boone, Brooke, Burnett, Cowan, Crowly, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, and Wardell—18.

The Speaker appointed a committee of three to escort the Speaker pro tem. elect to the chair, consisting of Messrs. Belshaw, Radcliff, and Knowland.

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.

Mr. Cobb nominated C. W. Kyle for Chief Clerk.

Mr. Boone nominated B. S. Maddox.

The roll was called, with the following result:

For Kyle—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowder, Dale, De Lancia, Dibble, Dunlap, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—53.

For Maddox—Messrs. Boone, Brooke, Burnett, Cowan, Crowly, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and Wardell—19.

ELECTION OF SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms were declared in order.

Mr. Henry nominated W. O. Banks of San Francisco.

Mr. E. D. Sullivan nominated George R. Code.

The roll was called, with the following result:

For Banks—Messrs. Anderson, Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Brown, Chynoweth, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—52.

For Code—Messrs. Boone, Brooke, Burnett, Cowan, Crowly, Fairweather, Feliz, Glenn, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and Wardell—18.

RECESS.

Mr. Dibble moved that the House take a recess until four o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at four o'clock and thirty minutes P. M.

OATHS OF OFFICE.

Mr. Caminetti presented himself at the desk and took the following oath of office before Speaker Wright:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and will faithfully discharge the duties of member of the Assembly of the thirty-third session of the California Legislature to the best of my ability. So help me God.

Mr. Johnson moved that the Chief Clerk and Sergeant-at-Arms take the oath of office at once.

So ordered.

The Chief Clerk, C. W. Kyle, and Sergeant-at-Arms, W. O. Banks, presented themselves at the desk and took the following oath of office:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and will faithfully discharge the duties of [here name of office was given] of the thirty-third session of the California Legislature to the best of my ability. So help me God.

RECESS.

At four o'clock and thirty-five minutes P. M., Mr. Dibble moved that the Assembly take a recess for five minutes.

So ordered.

REASSEMBLED.

The Assembly reassembled at four o'clock and forty minutes P. M.

RECESS.

At four o'clock and forty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reassembled at eight o'clock and fifteen minutes P. M. Speaker Wright in the chair.

OATH OF OFFICE.

Mr. W. H. La Barea, of the Fourth Assembly District, appeared and took the following oath of office, administered by Speaker Wright:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and will faithfully discharge the duties of member of the Assembly of the thirty-third session of the California Legislature to the best of my ability. So help me God.

RESOLUTION.

By Mr. Valentine :

Resolved, That the following persons be elected by the Assembly to fill the respective positions therein for the thirty-third session of the Legislature of the State of California, to wit.

Assistant Sergeant-at-Arms—W. H. Dahle.

Minute Clerk—R. Q. Wickham.

Assistant Minute Clerks—A. F. Johnson, Clarke Howard.

Journal Clerk—L. Davis.

Assistant Journal Clerk—Frank J. Murphy.

Engrossing and Enrolling Clerk—C. O. Wellock.

Assistant Engrossing and Enrolling Clerk—H. A. Wright.

Bill Filers—S. G. Bailey, George Merritt, Charles Schebel, E. Howard.

Chaplain—Rev. B. W. Perry.

Postmistress—Miss Reba Blood.

Assistant Postmistress—Miss Lizzie Baxter.

Letter Carrier—Ed. O'Neill.

Gatekeepers—G. W. B. Yocom, H. H. Squire, William Crane.

Doorkeeper—George Sharp.

History Clerk—M. J. Colman.

Bill Clerk—P. J. Arnerich.

Assistant Bill Clerks—W. A. Price, E. P. Casteline.

Gallery Doorkeeper—F. Hobro.

Messenger to State Printer—H. J. McDonald.
Stenographers—H. De Laguna, Ethel Thomas, May Giles, H. L. Bridges, Frank De Witt, J. F. Gawthorne.

Committee Clerks—E. J. Dwyer, J. L. Maude, H. B. Knight, F. L. Glass, S. M. Cospér, L. A. Hilborn, J. L. Gillis, Elain McMenamon, Owen Lynch, J. F. Glover, Stanley Wilson, Mrs. Ann Chynoweth, C. E. Sweezy, Mrs. H. C. Chipman, P. H. Tyler, J. Green, J. J. Hall, Robert Clark, E. J. Casey, A. B. Evans.

Mr. Valentine moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—76.
NOES—None.

COMMUNICATIONS.

To the Assembly of the State of California.

I hereby nominate H. S. Wanzer, Frank H. Owen, and J. L. Scotchler as Assistant Clerks, and ask you to elect the same.

C. W. KYLE, Chief Clerk.

Mr. Dibble moved that nominations of the Chief Clerk be confirmed, and H. S. Wanzer, Frank H. Owen, and J. L. Scotchler be elected.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—68.
NOES—None.

To the Assembly of the State of California.

I hereby nominate Robert Corlett for appointment as Bookkeeper to the Sergeant-at-Arms of the Assembly, and respectfully ask your consent to the same.

WM. O. BANKS, Sergeant-at-Arms.

Mr. Wade moved that the nomination of the Sergeant-at-Arms be confirmed, and Robert Corlett be elected to the office of Bookkeeper to Sergeant-at-Arms.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—63.
NOES—None.

To the Assembly of the State of California.

The Speaker having approved the following named persons as Pages, asks their election and confirmation by the Assembly: Gus Carroll, H. Brennan, A. Rogers, Frank Dibble, W. W. Benchley, and Willie Saunders.

Page to Speaker—Forest Swears.

Mr. Radcliff moved that the nominations of the Speaker for Pages be

confirmed, and that Gus Carroll, H. Brennan, A. Rogers, Frank Dibble, W. W. Benchley, Willie Saunders, and Forest Swears be elected Pages.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Anderson, Arnerich, Barry, Beecher, Belshaw, Bliss, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tnolumne, McKeen, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Eugene Sullivan, E. D. Sullivan, Wade, Works, and Mr. Speaker—61.

NOES—None.

RESOLUTION.

By Mr. Anderson:

Resolved, That the Clerk be and he is hereby instructed to notify the Senate that the Assembly is organized by the election of the following officers:

Speaker—Howard E. Wright.

Speaker pro tem.—Alden Anderson.

Chief Clerk—C. W. Kyle.

Sergeant-at-Arms—William O. Banks.

Assistant Clerk—H. S. Wanzer.

Assistant Clerks—Frank H. Owen, J. L. Scotchler.

Minute Clerk—R. Q. Wickham.

Assistant Sergeant-at-Arms—W. H. Dable.

Assistant Minute Clerks—A. P. Johnson, Clarke Howard.

Journal Clerk—L. Davis.

Assistant Journal Clerk—Frank J. Murphy.

Bookkeeper to Sergeant-at-Arms—Robert Corlett.

Engrossing and Enrolling Clerk—C. O. Wellock.

Assistant Engrossing and Enrolling Clerk—H. A. Wright.

Bill Filers—S. G. Bailey, George Merritt, Charles Schebel, E. Howard.

Chaplain—Rev. B. W. Perry.

Postmistress—Miss Reba Blood.

Assistant Postmistress—Miss Lizzie Baxter.

Letter Carrier—Ed. O'Neill.

Gatekeepers—G. W. B. Yocom, H. H. Squire, William Crane.

Doorkeeper—George Sharp.

History Clerk—M. J. Colman.

Bill Clerk—P. J. Arnerich.

Assistant Bill Clerks—W. A. Price, E. P. Casterline.

Gallery Doorkeeper—F. Hobro.

Messenger to State Printer—H. J. McDonald.

Stenographers—H. De Laguna, Ethel Thomas, May Giles, Frank DeWitt, J. F. Gawthorne.

Pages—Gus Carroll, F. Brown, A. Rogers, Frank Dibble, W. W. Benchley, Willie Saunders.

Page to Speaker—Forest Swears.

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 2, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following resolution:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and is ready to proceed with the business of the State, having elected the following officers:

President pro tem.—Thos. Flint, Jr.

Secretary—Frank J. Brandon.

Sergeant-at-Arms—J. Louis Martin.

Assistant Secretaries—Fred L. Thomas, Ernest Michaelis, Miss Phoebe Jones.

Minute Clerk—E. F. Mitchell.

Assistant Minute Clerks—D. G. Holt, G. W. Donahue.

Enrolling and Engrossing Clerk—C. R. Mayhew.

Assistant Enrolling and Engrossing Clerk—Charles Wood.

Journal Clerk—W. F. Mixon.

Assistant Journal Clerk—E. H. Healy.

Assistant Sergeant-at-Arms—Thomas Burns.

Bookkeeper to Sergeant-at-Arms—C. E. Williams.

Postmistress—Miss L. M. Luchsinger.

Assistant Postmistress—Miss E. L. Kelsey.

History Clerk—E. M. Swasey.
Bill Filer—H. G. Simpson.
Assistant Bill Filer—Samuel Wacholder.
Bill Clerk—W. J. Guilfoyle.
Assistant Bill Clerk—George A. Lane.
Messenger to State Printer—George B. Smith.
Mail Carrier—William Cruse.
Gatekeeper—A. L. Tilton.
Assistant Gatekeepers—L. A. Chandler, Paul Poggi.
Doorkeeper—J. Marks.
Gallery Doorkeeper—W. M. Johns.
And awaits your pleasure for legislative business.

F. J. BRANDON, Secretary of the Senate.

RESOLUTION.

By Mr. Wade:

Resolved, That each of the elected officers of the Assembly, as now appears on the records, be and they are hereby requested to appear before the bar of the Assembly and take the oath of office.

Adopted.

OATH OF OFFICE.

The newly elected officers and attachés of the Assembly appeared before the bar of the Assembly and took the following oath, administered by the Speaker:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and will faithfully discharge the duties of the office to which I have this day been elected by the Assembly of the thirty-third session of the California Legislature to the best of my ability. So help me God.

RESOLUTION.

By Mr. Belshaw:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Governor and inform His Excellency that the Assembly is organized and awaits any communication he may have to make.

Adopted.

The Speaker appointed Messrs. Belshaw, Anderson, and Mead as such committee.

MOTION.

Mr. Johnson moved that we now take up Senate messages.
So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 2, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 1, and in accordance therewith the President has appointed the following committee: Senators Dickinson, Cutter, and Doty.

F. J. BRANDON, Secretary of Senate.

SENATE CONCURRENT RESOLUTION NO. 1.

Resolved by the Senate, the Assembly concurring, That a committee of three members of the Senate be appointed to confer with a committee of four from the Assembly to make arrangements for the inaugural ceremonies. Said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises. Any expenses to be paid equally by the Senate and the Assembly, and not to exceed in the aggregate the sum of twelve hundred and fifty dollars.

In accordance therewith the President of the Senate has appointed the following committee: Senators Dickinson, Cutter, and Doty.

Adopted, on motion of Mr. Johnson.

COMMITTEE APPOINTED.

The Speaker announced the committee as provided by Senate Concurrent Resolution No. 1, as follows: Messrs. Knights, Boone, Crowder, and Cobb.

MOTION.

Mr. Johnson moved that the rules be suspended for the purpose of introducing bills.

So ordered.

INTRODUCTION OF BILL.

By Mr. Johnson: Assembly Bill No. 1—An Act making an appropriation for the support of the State Printing Office, and providing for the execution of printing work outside of the State Printing Office in cases of emergency, and providing for the payment thereof.

Read first time, and made special order for to-morrow morning immediately after reading of the Journal.

JOINT RESOLUTION.

By Mr. Belshaw :

ASSEMBLY JOINT RESOLUTION No. 1.

WHEREAS, In the achievements of our fleets at Manila and in the Caribbean Sea, as well as in the victory of our land forces at Santiago and Porto Rico, we recognize the advancement of the human race and in that the advancement of the American people; and

WHEREAS, It is the purpose of the people of the State of California to sustain the President of the United States in his policy of retaining in permanent achievement the full measure of such victories, leading, as they will, to a greater union, a greater strength, a more extended commerce, and to American control in the Pacific, which must be the future pathway to the commercial greatness of the West; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Representatives in Congress are requested to give their unreserved support to the administration of President McKinley, in the full confidence that his policy, the fruits of which are preserved in the treaty of peace, will lead to a greater country, a greater people, and a greater destiny, it is further

Resolved, That our Senators in Congress are hereby instructed to vote for and in every manner support the ratification by the Senate of the treaty of peace between the United States and Spain, recently concluded at Paris by the joint commission representing said powers; and it is further

Resolved, That a copy of these resolutions be immediately transmitted to each of our Representatives and Senators at Washington, by mail, by the Chief Clerk of the Assembly

Read, and made special order immediately after reading of the Journal.

REPORT OF COMMITTEE TO WAIT ON THE GOVERNOR.

ASSEMBLY CHAMBER, SACRAMENTO, January 2, 1899.

MR. SPEAKER: Your committee appointed to wait upon the Governor and inform His Excellency that the Assembly is organized and awaits any communication he may have to make, beg leave to report that it has discharged that duty.

BELSHAW, Chairman.

RESOLUTION.

By Mr. Dibble:

Resolved, That the Speaker appoint a special committee to report rules, said committee to consist of five members, one of whom shall be the Speaker

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed the following as such committee: Messrs. Dibble, Chairman; Valentine, Johnson, Mead, and Mr. Speaker.

ADJOURNMENT.

At nine o'clock and thirty minutes p. m., on motion of Mr. Dibble, the Assembly adjourned to meet at ten o'clock a. m. to-morrow.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 3, 1899. }

The Assembly met at ten o'clock a. m., pursuant to adjournment.

Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Julson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

The reading of the Journal was dispensed with.

RESOLUTIONS.

Mr. Johnson moved that the rules be suspended for the introduction of resolutions.

So ordered.

By Mr. Johnson :

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Resolved by the Assembly, the Senate concurring, That a committee of three be appointed by the Speaker of the Assembly to confer with a like committee from the Senate and the Inaugural Ball Committee of Sacramento City upon the inaugural ball ceremonies.

Adopted.

The Speaker appointed Messrs. Dunlap, Works, and Wardell as such committee.

By Mr. Valentine:

ASSEMBLY CONCURRENT RESOLUTION NO. 2.

Resolved by the Assembly, the Senate concurring, That the Senate and Assembly meet in joint session in the Assembly Chamber at two o'clock in the afternoon of this day, January 3, 1899, for the purpose of being present when the Speaker of the Assembly shall open and publish the returns of the election for Governor and Lieutenant-Governor, as provided and required by Article V, Section 4, of the Constitution of the State of California.

Adopted.

Mr. Valentine moved that Assembly Concurrent Resolution No. 2 be immediately transmitted to the Senate.

So ordered.

By Mr. Belshaw:

Resolved, That the Speaker of the Assembly be and he is hereby authorized to make the following appointments:

Three Porters at \$3 per day.

One Rear Porter at \$3 per day.

Three Watchmen at \$3 per day.

One Engineer at \$4 per day.

One Fireman at \$3 per day.

One Elevator Attendant at \$3 per day.

One Janitress of the Ladies' Waiting-Room at \$3 per day.

And that they be paid out of the fund for the contingent expenses of the Assembly.

Mr. Belshaw moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—73

NOES—Messrs. Caminetti, Feliz, Glenn, Hanley, and Hoey—5.

RECESS.

At eleven o'clock A. M., the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly met, pursuant to adjournment, at one o'clock and five minutes P. M.

Speaker Wright in the chair.

The Speaker notified the Sergeant-at-Arms of the Senate, who appeared at the bar of the House, that the Assembly is prepared to receive that honorable body in joint convention.

The Senators appeared, and the Senate and Assembly went into joint convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER, }
Tuesday, January 3, 1899. }

At two o'clock P. M., the Senate and Assembly met in joint convention.

The President pro tem. of the Senate, Hon. Thomas Flint, Jr., directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boggs, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Smith, Stratton, Taylor, and Trout—37.

Quorum present.

The Speaker of the Assembly, Hon. Howard E. Wright, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names :

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Grillin, Hanley, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, Works, and Mr. Speaker—74.

Quorum present.

REGULAR ORDER OF BUSINESS.

By direction of the President pro tem. of the Senate, the Secretary of the Senate read sections of the Constitution of the State of California, and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in joint convention for the purpose of canvassing the votes cast for Governor and Lieutenant-Governor, as follows:

Of Article V of the Constitution:

Section 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and the highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

Section 15. A Lieutenant-Governor shall be elected at the same time and places, and in the same manner, as the Governor, and his term of office and his qualifications of eligibility shall also be the same. He shall be President of the Senate, but shall have only a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy be filled or the disability shall cease. The Lieutenant-Governor shall be disqualified from holding any other office, except as specially provided in this Constitution, during the term for which he shall have been elected.

Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant-Governor, the Clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must, as soon as the statement of the vote of his county is made out and entered upon the records of the Board of Supervisors, make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The Clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant-Governor."

Section 1294. He must at once direct one copy to "The Speaker of the Assembly next to meet," address it to Sacramento, California, and deposit it, postpaid, in the postoffice.

Section 1295. The other copy he must direct and address in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who holds over; and the person to whom it is so directed must deliver it to the Speaker on or before the second day next after his election.

Section 1296. The returns for election for Governor and Lieutenant-Governor must, during the first week of the session, be opened, canvassed, and the result declared by the Speaker of the Assembly in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election, if it can with reasonable certainty be ascertained from such return what office is intended and who is elected thereto.

APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed on the part of the Assembly, as tellers, Messrs. Belshaw and Caminetti.

The President pro tem. of the Senate appointed as tellers, on the part of the Senate, Senators Gillette and Prisk.

ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received and were now at the desk.

CANVASS OF RETURNS.

A canvass of the returns was thereupon made, and the tellers reported and announced the vote, as follows:

FOR GOVERNOR.	
Henry T. Gage.....	148,334
James G. Maguire.....	129,255
Job Harriman.....	5,101
J. E. McComas.....	4,297
Scattering.....	9
Total	286,996

DECLARATION OF RESULT.

The Speaker of the Assembly thereupon declared the result as certified to by the Secretary of State, and announced by the tellers, to be: Total number of votes cast for Governor, 286,996; and that Henry T. Gage was duly elected Governor of the State of California for the ensuing term, according to the Constitution and the laws of the State of California, he having received the highest number of votes cast for any candidate for said office.

FOR LIEUTENANT-GOVERNOR.	
Jacob H. Neff.....	146,325
Edward L. Hutchison.....	118,915
James Andrew.....	8,784
Robert Summers.....	6,304
Scattering.....	7
Total	280,335

DECLARATION OF RESULT.

The Speaker of the Assembly thereupon declared the result to be: Total number of votes cast for Lieutenant-Governor, 280,335; and that Jacob H. Neff was duly elected Lieutenant-Governor of the State of California for the ensuing term, according to the Constitution and the laws of California, he having received the highest number of votes cast for any candidate for said office.

RESOLUTION.

Senator Dickinson offered the following resolution, and moved its adoption:

Resolved, That the hour of one o'clock P. M. of Wednesday, January 4, 1899, be appointed the time when the Governor and Lieutenant-Governor elect shall take the official oath in the presence of both houses of the Legislature, in joint convention assembled, as required in and by Section 905 of the Political Code; that the Joint Committee on Inauguration already appointed be and are hereby directed to inform the Governor and Lieutenant-Governor elect of this action, and that when this joint convention adjourns, it adjourn to meet at the hour and date aforesaid

Resolution read and adopted.

READING AND APPROVAL OF MINUTES.

The minutes of the joint convention were then read and approved.

ADJOURNMENT.

At three o'clock and ten minutes P. M., the President pro tem. of the Senate declared the joint convention adjourned until one o'clock P. M. of to-morrow, Wednesday, January 4, 1899.

IN ASSEMBLY.

REPORT OF SPECIAL COMMITTEE.

SACRAMENTO, CAL., January 3, 1899.

MR. SPEAKER: Your special committee, appointed pursuant to Assembly Concurrent Resolution No. 2, to confer with a like committee from the Senate and the Inaugural Ball Committee, beg leave to report that they have conferred with such committees and recommend that the various halls, corridors, and unoccupied chambers in and about the State Capitol be placed at the disposal of the committee having in charge the inaugural ball and banquet from Saturday, January 7, 1899, at twelve o'clock M., to the hour of ten o'clock A. M., Tuesday, January 10, 1899.

DUNLAP, Chairman.

Adopted, on motion of Mr. Dunlap.

RESOLUTION.

By Mr. Dunlap:

ASSEMBLY CONCURRENT RESOLUTION NO. 3.

Resolved by the Assembly, the Senate concurring, That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on Saturday, January 7, 1899, to the hour of ten o'clock A. M., Tuesday, January 10, 1899.

Adopted, on motion of Mr. Dunlap.

MOTION.

Mr. Johnson moved that the rules be suspended for the purpose of considering Assembly Bill No. 1.

So ordered.

Assembly Bill No. 1—An Act making an appropriation for the support of the State Printing Office, and providing for the execution of printing work outside of the State Printing Office, in cases of emergency, and providing for the payment thereof.

Assembly Bill No. 1 read second time.

Mr. Johnson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 1.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Wright in the chair.

Assembly Bill No. 1 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Wright in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1—An Act making an appropriation for the support of the State Printing Office, and providing for the execution of printing work outside of the State Printing Office, in cases of emergency, and providing for the payment thereof—and do now report the same back with amendments, and recommend that the same do pass as amended.

WRIGHT, Chairman.

MOTIONS.

Mr. Johnson moved that Assembly Bill No. 1 be amended as follows:

Amend by striking out "one hundred" and inserting in lieu thereof "fifty," in line one, section one.

Amendment adopted.

Also: Strike out Sections 2 and 3 and renumber Section 4, Section 2.

Amendment adopted.

Assembly Bill No. 1 ordered to printer, engrossment, and third reading.

On motion of Mr. Dibble, Assembly Bill No. 1 was made a special order for to-morrow morning, immediately after reading of the Journal.

MOTION.

Mr. Dibble moved that the Assembly do now take up the Governor's message.

So ordered.

Pending the reading of the message, Mr. Belshaw moved that the further reading be dispensed with and the same be printed in the Journal.

So ordered.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., January 3, 1899. }

To the Assembly of the State of California

I herewith transmit to your honorable body my second biennial message; also, report of the State Board of Capitol Commissioners. Other reports this day reported to the Senate will be transmitted by that body to the Assembly.

JAMES H. BUDD, Governor.

SECOND BIENNIAL MESSAGE OF GOVERNOR JAMES H. RUDD.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
January 3, 1899. }

To the Senate and Assembly.

GENTLEMEN: I yield to my successor, with greater pleasure than I received from my predecessor, the Governorship of the State of California. When I was inaugurated, the financial condition of the State was deplorable; and the task before me, with a Legislature composed of political opponents, was a formidable one.

For a number of years the State had been under a financial cloud, and had pursued a slipshod, down-at-the-heel, borrow-from-Peter-to-pay-Paul policy.

Payments of its debts were delayed, and its warrants were at a discount on the street—a condition of affairs disgraceful at home and disastrous abroad.

Its institutions were under neither systematic nor uniform laws, the asylums were filling with those not entitled to shelter, and deficiencies were the order of the day.

Bounties were paid on coyote scalps and the indigent laws made the basis of gross frauds.

The Controller's estimates continued to increase from report to report, and the Legislatures augmented the amounts beyond all reason.

State property was at loose ends; no account was taken thereof; and no inventories given or required.

Imitations of food filled the markets, to the detriment of the real products of the State.

Adulterations abounded everywhere, and the laws of health were openly ignored.

Our roads were a disgrace, and the money spent upon them largely wasted through ignorance of the art of road-building.

County governments existed by permission only, as there was no constitutional law regulating them.

Tax-sharks thrived on the distress of the people.

Our Codes were practically shapeless, and my predecessor had urged the creation of a commission to put them in form.

The University of California suffered from lack of funds, and proper buildings had twice been denied the Affiliated Colleges.

Needless taxation was placed on the people for the useless institutions that had sprung up.

This was, in part, the condition of the State when I assumed the responsibilities of this office. As I relinquish them, I am glad to say that all these conditions have undergone a radical and permanent change.

FINANCES.

Of the many State funds there are four which derive their revenue, in whole or in part, from a tax on real and personal property. These are:

1. The University Fund, for which the law provides annually two cents on every hundred dollars of value of property in the State. This is a fixed charge and a "continuing" appropriation.

2. The Interest and Sinking Fund, which provides \$141,435 annually for interest on certain bonds of 1873, held by the State Treasury in trust for the State School Fund and University Fund—and for interest on moneys belonging to the Endowment Fund of the University. The amount to be raised for this fund is also fixed by law.

3. The State School Fund. This is the fund from which the State's portion of the expenses of our common schools is apportioned.

4. The General Fund. This is the fund from which the ordinary expenses of the State Government, other than for school purposes, are paid.

The only three of these funds which are included in the Tax Levy Bill and law are:

1. The Interest and Sinking Fund.

2. The School Fund.

3. The General Fund.

The first of these (the Interest and Sinking Fund) has but one source of revenue—taxes. The second (the School Fund) has several minor sources of revenue, but the principal one is the ad valorem tax on real and personal property. The amount to be raised for the School Fund does not depend upon the action of the Legislature, nor the Governor, for it is fixed on the basis of each census child between the ages of five and seventeen. Its expenditure is in no manner controlled by either the Legislature or Governor, nor do its accounts pass the scrutiny of the State Board of Examiners. It is apportioned "by the Superintendent and paid out upon the Controller's warrants."

The third fund (the General Fund) is made up principally from a tax on real and personal property, fixed by the tax levy law at each session of the Legislature. It is the fund from which appropriations, claims against the State, and ordinary expenses are usually paid. The amount included in the tax levy bill for this fund determines whether we will have high or low taxes. All the others—the Interest, the University, and School Funds—are fixed by existing laws and determined by established conditions.

It is the theory of the Government that the amounts included in the Tax Levy Bill for that fund shall be sufficient, with money on hand, to pay off all appropriations made during the session.

Whether or not the amount of the vetoed items or bills be included in the Tax Levy

Bill, the veto itself is a saving to the people, for, but for it, the amounts vetoed must be paid.

As its name indicates, the General Fund is the all important one. This has been recognized by Governors, by Treasurers, and by Controllers, and the condition of this fund has excited their utmost care and solicitude, because when it is exhausted the credit of the State is impaired, and the claims against it go unpaid. To maintain this fund, to pay the creditors of the State as their debts accrue, and to prevent the hawking of the Controller's warrants on the street, are things most desirable. Yet so careless has the State been in the past, so intent its officials in straining every energy to gain what is called a low tax rate (a thing of no particular significance, unless related to a fixed valuation of property, as will be shown hereafter) that the State has, year by year, willfully permitted the General Fund to become exhausted, and its creditors—the merchants and mechanics, the contractors and laborers, doing business with the State—to wait for months at a time for their money, or has compelled the Controller to make transfers of hundreds of thousands of dollars annually to save its credit.

CONDITION OF THE GENERAL FUND WHEN I BECAME GOVERNOR.

When I became Governor the balance in the General Fund was so small, and the demands against it so large, that its exhaustion long prior to the commencement of my first fiscal year was a certainty. The fund became exhausted in May, 1895; it became exhausted again in July, 1895, and so remained until December, 1895, when the first installment of taxes for the forty-seventh fiscal year was paid into the General Treasury.

This condition of affairs was the usual one. Against it a previous Governor had protested, the retiring State Treasurer in 1894 had detailed with much feeling the dishonor in this conduct of the State, and the State Controller, in his report of December 15, 1894, said:

"On June 9, 1893, the General Fund became exhausted, and at the close of the fiscal year, June 30th, it had been overdrawn to the extent of \$136,012 06, as is shown in the foregoing summary. Cash payments were not resumed until the first of January following, at which time this amount of outstanding warrants was over \$1,500,000."

This statement the Legislature should ponder, for the spectacle of a great State like California having its warrants in the streets to the amount of \$1,500,000 at a time is most discreditably. This occurred in December, 1893. Further and properly the Controller said:

"That such a condition of affairs should exist at any time is to be deplored, but it was especially unfortunate at that particular time, as the State was suffering greatly from the general financial distress then prevailing, and to have the State suspend payment subjected numbers of contractors, merchants, and employes of the State to great inconvenience and no small pecuniary loss. This condition of the General Fund is not unusual. It has been exhausted, with few exceptions, ever since the foundation of the State, but it can and should be guarded against in the future, and I cannot impress too strongly upon your Excellency and the Legislature the necessity of so doing."

In 1894 the Controller was compelled to make a transfer of \$860,000 from other funds with which to meet the demands against the General Fund. (See Controller's letter, Appendix A.)

The matter was so serious that I made this condition of the General Fund my special care, and determined to remedy the evil during my term of office.

To that end I required appropriation bills (concerning which I conferred with the Legislature) to contain a clause making the appropriations not available until the January following. I made it clear to the Chairmen of the Finance Committees of the two houses that the Tax Levy Bill for the forty-seventh fiscal year must provide sufficient to pay the debts, deficiencies, overdrafts, and outstanding warrants of previous administrations, and such claims as might legitimately come against the fund; that a one-twenty-fourth clause should be inserted in the General Appropriation Act to prevent deficiencies in the future; and that a sufficient surplus must be provided to leave a balance with which to pay demands between the beginning of a fiscal year and the payment of the first installment of taxes.

My requests were cheerfully followed.

Two millions of appropriations made by the Legislature were vetoed, and the expenditures from the fund were lessened by some half million of dollars a year by laws.

Through these matters combined, and with \$427,533 less in the Tax Levy Bill for the General Fund than in the bill for the two years ending June 30, 1891, the State has been placed upon a firm cash basis.

As the Controller said in his report of December 15, 1896:

"The General Fund is now in a most healthy condition, and should not be allowed to again become exhausted. As is shown in the foregoing summary, the balance in the fund on June 30th last was \$2,557,290 10, and at writing there still remains a heavy balance."

And in his report of December 15, 1898, only a few days ago, he says:

"During the two fiscal years covered by this report there has been no deficiency in this fund. The balance on June 30, 1898, as shown in the foregoing summary, was \$2,001,093 71. At this writing (December 1, 1898) there is a balance of \$665,538 06, and this will be largely increased during the present month by the incoming first installment of State taxes."

Here, certainly, are changes in the financial affairs of the State of great benefit to it,

accomplished under and by this administration. At the same time expenditures from the General Fund have been reduced hundreds of thousands of dollars annually.

The results of attempting to conduct this State on overdrafts and transfer funds is shown in the following table:

Tax levy for support of the Government General Fund, showing the date each year when the General Fund was exhausted, and when payment resumed.

July 1, 1889, to June 30, 1890.....	\$1,822,970 00
General Fund exhausted August 17, 1889.	
Resumed payment January, 1890.	
Overdrawn, \$942,132 48.	
July 1, 1890, to June 30, 1891.....	3,199,140 00
July 1, 1891, to June 30, 1892.....	2,622,674 00
July 1, 1892, to June 30, 1893.....	2,766,964 00
General Fund exhausted October 14, 1892.	
Resumed payment December, 1892.	
Overdrawn, \$359,758 77.	
April 11, 1893, transferred \$300,000 to General Fund.	
June 9, 1893, General Fund exhausted.	
July 1, 1893, to June 30, 1894.....	4,262,225 00
Resumed payment December, 1893.	
Overdrawn, \$1,611,754 63.	
April 10, 1894, General Fund exhausted.	
July 1, 1894, to June 30, 1895.....	3,312,920 00
Resumed payment May, 1894.	
Overdrawn, \$45,028 88.	
On September 1, 1894, transferred from other funds to General Fund, \$710,000, and again on November 6, 1894, an additional \$150,000, in order to carry the General Fund on a paying basis until the December settlements of that year. But for this action the fund would have been exhausted on September 7, and before payments could have been resumed the General Fund would have been overdrawn to the extent of about \$895,000.	
July 1, 1895, to June 30, 1896.....	\$4,913,106 00
General Fund exhausted July 22, 1895.	
Resumed payment December, 1895.	
Overdrawn, \$928,973 51	
July 1, 1896, to June 30, 1897.....	2,681,371 00
No overdrafts.	
Amount in General Fund, \$2,232,927.	
July 1, 1897, to June 30, 1898.....	2,553,602 00
No overdrafts.	
Amount in General Fund, \$2,001,093.	
July 1, 1898, to June 30, 1899.....	2,553,602 00
No overdrafts.	
January 1, 1899, amount in State Treasury to credit of General Fund	2,184,189 23

GENERAL FUND RECEIPTS.

The balance of January 1, 1895, was only \$1,145,016 34. Against which was \$1,766,563 32 of available appropriations (demands), not including the estimated expenditures for orphans, indigents, etc. (Controller Colgan's letter of March 11, 1895. Appendix B.) Nor were the debts, deficiencies, etc., of the past included.

GOVERNOR MARKHAM'S TRUE BALANCE FROM GOVERNOR WATERMAN.

Governor Waterman during the entire first half of the fiscal year from July 1, 1890, to January 1, 1891, received from property taxes only \$187,218 94 in the General Fund, and left therein when his term expired, about January 1, 1891, \$125,019 82, to which was added during the month of January, 1891, the first month of Governor Markham's term, the sum of \$1,819,711 57, which makes \$1,944,731 39, the true balance chargeable to Governor Markham.

CHANGE OF LAW IN 1891, AND CONSEQUENT EXCESSIVE RECEIPTS.

The law providing for the payment of taxes in two installments did not take effect until July 1, 1891, so my predecessor received *all* the taxes paid into the General Fund for the entire year covered by the last six months of Governor Waterman's, and the first six months of his own, administration, as also the taxes for the last six months he served, which were paid in the month of December, 1894. By reason of this law he received during his first six months in office \$3,180,197 91, being the entire tax levy for the full forty-first year, of which he served but six months, and the sum of \$2,198,775 21 for the last six months he served. Making, with the taxes he received during the other years of his term, \$15,187,175 78.

TAX RECEIPTS.

Since my first fiscal year the amount of the Tax Levy Bill for the General Fund has been smaller than for any year since the forty-third fiscal year. The causes of the smallness of that year's fund are stated in the Controller's Report of 1892. The attempt

to make the Tax Levy Bill for the forty-third and forty-fourth fiscal years low was followed by consequences which might have been foreseen, *i e*, that the General Fund in 1892 and 1893 was overdrawn and exhausted to the extent of \$1,971,113 00, a condition commented upon by the Controller in his Report of 1894 as most deplorable and leaving the creditors of the State to hawk their warrants on the public streets. (See Controller's letter of December 8, 1897, appended; also Controller's Report of December 15, 1894.)

The Tax Bill of 1895 for the General Fund was nearly half a million dollars less than the Tax Levy Bill for the same fund for the two years ending June 30, 1891.

The Tax Levy Bill for the last two years of my administration for this fund is \$5,107,204, or less than for any preceding period during eight years.

The appendix shows the levy for this fund during the periods from July 1, 1891, to and including June 30, 1899, both by legislative periods and by years, as well as the overdrafts or the immense transfers necessary to make the appropriation sufficient.

RECEIPTS FROM ALL SOURCES INTO GENERAL FUND.

January 1, 1891, to January 1, 1895	\$16,046,958
January 1, 1895, to January 1, 1899	14,188,245
Difference	\$1,858,713

Or nearly two million dollars less received into this fund during this than during the preceding administration. (Balances not included for reasons given above, and because the balance turned over by me to Governor (Ige is far greater than that turned over to me by my predecessor, and it is not mortgaged to such an extent.)

The receipts in which the taxpayer is most deeply interested are the tax receipts. Hence I give them separately.

TAX RECEIPTS 1891 TO 1899.

January 1, 1891, to January 1, 1895, total tax receipts	\$15,187,175 78
January 1, 1895, to January 1, 1899, total tax receipts	13,654,411 97
	\$1,532,763 81

Or one million and a half less during the last four years, notwithstanding the increase of State institutions, payment of past debts, deficiencies, etc.

EXPENDITURES FROM GENERAL FUND FROM 1891 TO 1899.

From January 1, 1891, to January 1, 1895, the expenditures from the General Fund were \$15,025,961 06. From January 1, 1895, to January 1, 1899, the expenditures from the General Fund are \$13,257,144 07, or less expenditures in favor of this administration by \$1,768,816 99.

This is shown by the Controller's figures, Appendix D; *i e*, there was expended during the past four years, with its increased institutions and inmates thereof, and not deducting any debts of the former four years, nearly two million dollars less.

But as the expenditures from this fund for this administration include the Affiliated Colleges and other buildings, the expenditures for the previous four years ought to include, as they do not, certain buildings constructed from tax funds made special and thus prevented from being subject to drafts on the General Fund, costing in all \$585,000.

In order to arrive at a true difference between the cost of the previous administration and this, from this fund, we must deduct from this administration the amount it paid for the former one, and add to the former one the debts paid for it by this.

By so doing and assuming the least possible claimed expenditure for deduction, we have—

Expenditures January 1, 1891, to January 1, 1895	\$15,025,961 06
Paid by this for past administration	1,000,000 00
Total	\$16,025,961 06
Expenditures January 1, 1895, to January 1, 1899	\$13,257,144 07
Deducting for expenditures for past administrations	1,000,000 00
Total	\$12,257,144 07

Thus making the cost from the General Fund properly chargeable to this administration \$3,768,816 99 less than for the preceding administration.

I give in Appendix D by years and half-years the Controller's figures for the expenditures from this fund.

Should we include buildings above mentioned, the difference would be over \$4,000,000.

BALANCES IN GENERAL FUND AT END OF EACH YEAR.

The balances on hand in this fund at the beginning of each of the fiscal years for several years past have been:

	Overdrawn.	Balance.
For the year ending June 30, 1893	\$136,012 96	
For the year ending June 30, 1894		\$777,062 00
For the year ending June 30, 1895		227,247 00
For the year ending June 30, 1896		2 257,290 00
For the year ending June 30, 1897		2,232,927 00
For the year ending June 30, 1898		2,001,093 00
For the year ending June 30, 1899 (estimated)		2,000,000 00

The balance was \$227,247 at the beginning of my first fiscal year. Since then it has been yearly over two million dollars. Nor has there been a single deficiency in the General Fund since December, 1895. And the balance at the beginning of Governor Gage's first fiscal year, July 1, 1899, should be over \$2,000,000.

With the Governor and both branches of the Legislature of the same political faith, it will be easy to keep this large balance in the General Fund and to maintain the credit of the State as we have established it.

But if either endeavor to economize by lessening the amount of the School Fund apportionment, it will have to be done by reducing the amount to be raised each year for each school census child, a crippling of the schools and a reduction of the salaries of the teachers. This is a proposition that has been advanced heretofore, but has not found favor, nor should it.

The number of State institutions and inmates maintained during the past four years largely exceed those maintained in former years, as the following table shows:

	Institutions	Average Population
1880	11	5,479
1890-93	13	6,536
1894	16	7,175
1895-98	16	8,078

Thus with more institutions and more inmates, the general cost to the State has been much less than during the former administrations.

THE CONTROLLER'S ESTIMATES AND RECOMMENDATIONS.

The laws of this State make the Controller its bookkeeper and the superintendent of its finances. His functions and responsibilities are greater than those of any other officer, the Governor excepted, and his recommendations entitled to the most profound consideration.

It is largely because of the lack of consideration given to the recommendations of Controllers that the affairs of this State, during the eight years preceding this administration, became so tangled and expensive, and the deficiencies of the General Fund so great. While the State has now been established on a cash basis and there is a very large sum in the General Fund, it may be easily dissipated if the present legislators disregard the Controller's recommendations. To show to what extent his estimate of the expenses of the Government has been ignored, I call your attention to the following brief table:

	Estimated	Tax Levy.
Dec. 1888—For two years ending June, 1891	\$4,144,520 00	\$8,022,010
Dec. 1890—For two years ending June, 1893	4,332,870 00	5,379,638
Dec. 1892—For two years ending June, 1895	5,660,890 00	7,575,145
Dec. 1894—For two years ending June, 1897	7,076,066 66	7,594,477
Dec. 1896—For two years ending June, 1899	6,027,164 16	5,107,204

The estimate for 1896 (after I had been in office two years) was less by over a million of dollars than the estimate of 1894, and the Tax Levy Law cut this down by nearly a million more. It was the first reduction in the estimate since 1888, although the State is now on a cash basis and has more institutions and many more wards to maintain.

SAVING BY MY VETOES OVER \$4,000,000.

In accordance with my avowed policy, I have vetoed a large number of appropriation bills and items. This was necessary to keep the expenses of the State within a certain limit, to provide for proper past claims, to place the State on a cash basis, and to prevent the constant exhaustion of the General Fund.

While the veto of items may or may not have been included in the Tax Levy Bill, still each appropriation, and each item—had it been allowed—would finally have become a claim against the Treasury and been paid by a tax upon the people.

The vetoes for the sessions of 1895 and 1897, inclusive, amounted to \$4,421,216 73, of which four millions is a saving to the people.

Yet when we consider the liberality with which appropriations have been allowed during this administration—the Debris Fund, \$250,000; improvements of our channels and rivers, \$300,000, the establishment of a Normal School at San Diego, additional buildings elsewhere, a University tax of two cents in place of one, and an increase of revenue sufficient to place the State on a cash basis and pay off the deficiencies and debts of previous administrations—it cannot be claimed that the veto power was too

severely used, although the amounts exceeded the combined vetoes of all other Governors of the State of California.

This saving of over four millions of dollars by vetoes in two sessions, or an amount sufficient to conduct the ordinary expenses of the State, other than schools, for one full year, is a matter of no little satisfaction to myself, and of material benefit to the taxpayers of this State.

TAX LEVY AND APPROPRIATION BILLS.

At the close of each session of the Legislature, and usually upon the last day, it passes what is known as the Tax Levy Bill. This bill provides that the Board of Equalization shall raise: For the General Fund, a certain amount named; for the Interest and Sinking Fund, a certain amount named; for the School Fund, a certain amount named. It further provides that five per cent shall be allowed for defaults. The theory of our Government is that the tax levy shall raise a sufficient amount to pay the ordinary expenses of the Government and the appropriations made by the Legislature.

Appropriation bills do not usually provide for raising the amount appropriated, but they direct that such sums shall be paid from any moneys "in the General Fund not otherwise appropriated." Usually appropriations have been largely in excess of the amount of the Tax Levy Law. This is a vicious practice. It requires the Governor to either use the veto power liberally, or allow of appropriations that will quickly exhaust available moneys in the Treasury. To stop such conditions, and to lessen the burdens of the taxpayers, I vetoed upwards of \$4,421,216 73.

And I also, by special message of March 20, 1897, demanded a reduction of the Tax Levy Bill, stating that unless reduced it would be vetoed by me, and in this manner saved nearly one million of dollars.

When the Tax Levy Bill is pending, the Legislature and the Executive calculate a tax levy of so many cents upon the hundred dollars, assuming that the valuation of property in a growing State will not fall. The tax rate, however, is a matter with which the Legislature has little to do, although a high rate is always charged against it as a sin of commission. The tax rate is fixed by the Board of Equalization and fixed largely in an arbitrary manner.

During the four years prior to my inauguration, the value of property in California was fixed by the Board of Equalization at never less for any one year than \$1,200,000,000. (See Controller's Report for 1896.) Yet the first year after my inauguration the Board dropped the valuation to \$1,134,282,013, in consequence of which the rate per one hundred dollars of valuation was 68½ cents, though under the least valuation for the preceding four years it would have been much lower than this.

The year following, owing to differences in the Board, the valuation was restored to its normal figure, being \$1,266,593,065, and the tax rates sunk to 42½ cents on the hundred dollars, the lowest tax rate ever reached in the State of California.

The following year the valuation of property was dropped again, and the rate forced to 51 cents upon the one hundred dollars.

This year certain members of the Board of Equalization telegraphed to Boards of Supervisors suggesting they ask for a reduction in the valuation in their counties, and many counties were reduced. This kind of equalization is very injurious to the State.

A high tax rate is injurious to any State, because people abroad, seeking investment, ask the rate, and do not understand the causes that have led a Board of Equalization to play battledore and shuttlecock with State values. They do not understand the combinations of equalizers. They do understand, however, that the constant shrinkage of values would ordinarily indicate a retrograding instead of a progressing State, and that low tax rates destroy property as a basis for loans.

The amount provided to be raised for the forty-ninth fiscal year by the Tax Levy Law was \$5,010,000. The tax rate was 51 cents. The amount provided by the same law to be raised for the fiftieth fiscal year is \$5,010,000, exactly the same as that for the forty-ninth fiscal year, and yet the rate is 48½ cents. Thus, to raise the same amount, a change of value makes a difference of 2½ cents in the tax rate.

I hope the Legislature may find some means of correcting this evil.

I desire, in passing, to state that the amounts of the last three Tax Levy Bills are over a million three hundred thousand dollars less than the pledge of my party.

TAXATION.

On this subject, I call attention to my former recommendation:

"To equally and fairly provide for and collect the revenue necessary for the support of the Government is always the most serious duty of the State. The burden of taxation so easily falls upon the material and tangible things, the real and personal property of a community, that the tendency is to levy upon such property-holding class an unjust share of taxation. Another numerous class of our people, in addition to such property, and often almost exclusive of it, are granted and enjoy under our laws an extremely valuable possession in the nature of corporate rights, privileges, and immunities. Such corporate advantages are always beneficial, and often the source of great profit. This class of property is very difficult to assess or value, and it generally fails to contribute its just share of revenue for the support of that Government by the sanction of which alone it enjoys its existence. Our Constitution-makers undoubtedly contemplated that this class should be taxed for the benefit of the State. I would, therefore, recommend that, under Section 11, Article XIII of the Constitution, you

formulate and impose upon all corporations in this State doing business for profit, a graduated income tax, so adjusted that they be required to pay only such sums as are strictly just and fair, and that equal justice be done among them."

The deeper one investigates, the more is he impressed with the need for some change in our system of taxation, and the sooner political parties make their State campaigns solely on State issues and matters of local concern during an election for State officers, the sooner will the matter be solved.

The extent to which personal property of a peculiar kind escapes taxation is shown by reference to seventy-one estates in California, and by a comparison of the appraised value of this class of property with its assessed valuation for taxation.

One decedent paid taxes on \$19,279 of personal property, whereas his personal estate was appraised shortly afterwards at \$6,844,914 28. Another paid taxes on \$5,875, while his estate was appraised at \$1,492,209 82.

And of the seventy-one estates the appraisement of personalty was \$11,945,205 30, as against an assessed value for taxation of \$188,414, and nearly a million of the personalty escaped assessment entirely.

There are two States in the Union, New Jersey and Pennsylvania, which do not tax, lands or the improvements thereon at all for State purposes; their taxation laws have been in operation for many years and have stood the tests of State and National courts. They place the burden where it belongs.

THE BOARD OF EXAMINERS.

This is the most important board of the State. Under its eye must pass every item of expenditure from the General Fund, except those of the National Guard.

A hurried glance at the proceedings before any Board of Examiners during the past eight years will prove the importance of this body.

One of the first acts of this administration was to endeavor to have passed a bill enlarging the powers of this Board. The bill passed the House, but was defeated in the Senate. I succeeded, however, in having grafted upon the General Appropriation Bill a clause known as the "one-twenty-fourth clause," by which all institutions and departments, unless excepted therefrom expressly, should expend one-twenty-fourth part only of the two years' appropriation during any one month. This gave to the Board absolute control over these expenditures, and concerning the clause the report of the present Board says:

"Section 4, General appropriation, and the one-twenty-fourth proviso. In years prior to the adoption of the one-twenty-fourth clause, State institutions frequently overdraw their accounts, and toward the end of the fiscal year the Board of Examiners would be compelled to grant them deficiencies, as prisons and insane asylums could not be closed and inmates turned out. These grants ranged from five thousand to ninety thousand dollars for each institution. This year not one institution asked for a deficiency, as the Board kept strict watch on their monthly demands and they are kept within their limit."

The session of 1895 allowed over one hundred thousand dollars deficiencies to institutions alone, not including officers. This year not a single institution has applied for a deficiency. The financial condition of State institutions in this regard from the forty-fifth to the fiftieth year is shown by the following table:

For the two fiscal years ending June 30, 1895, Agnews and Napa saved	\$19,992 15
For the two fiscal years ending June 30, 1897, the State institutions saved.....	80,230 96
At the present rate there will be saved for the forty-ninth and fiftieth years ending June 30, 1899.....	60,877 81
A total saving of.....	\$161,100 92

The Board has passed on claims amounting to \$7,519,256; has rejected claims amounting to \$46,840 79, has cut off claims and items amounting to \$102,932 24, being a total saving of \$149,773 02 during the past two years, not including the saving in deficiencies. And if we take the disallowances of the Board of Examiners for the two previous years ending December, 1896, it makes a total of rejections of \$898,769 29 during the four years. I commend a careful perusal of these reports of this Board.

RECOMMENDATION FOR A RECONSTRUCTION OF THE BOARD.

I make the following recommendation:

State officers should not be compelled to serve as members of the Board of Examiners, but if the Legislature decides that it must consist of them, then the officers should be the Controller, the Secretary of State, and the Governor. The one State officer who might, in any case, advantageously serve on the Board is the Controller, because of his position as superintendent of finance.

A CENTRAL BOARD.

I would recommend that the Governor and two State officers, to be designated by him, shall constitute a Central State Board, with full powers to advertise and let contracts for all State supplies, with the right of accepting all bids, or any parts thereof, for one or all of them. That all State buildings, if the cost is to exceed the sum of five

thousand dollars, he planned and constructed under the provisions of an Act with all the guarding clauses of the Building Act of 1876, the Governor and other members of the Board to be the officers who shall approve the plans and specifications thereof and changes therein, and they shall also finally approve the letting of any contract to any bidder for the construction of said building or any part thereof. In this connection I wish to state that the San Francisco Board of Harbor Commissioners have not acted under the Act of 1876. In 1895 I endeavored, as Governor, to have the Harbor Commissioners proceed under said Act, and urged that they do so. The Attorney-General of the State, W. F. Fitzgerald, also gave his opinion that the Act of 1876 was the one under which they should proceed. They refused to comply with the Act of 1876, either as to the original plans or the specifications thereof. As Governor I further objected to members of the Board expending on that building, foundation, and superstructure an amount in excess of \$600,000, which I deemed the full amount contemplated by the people for that purpose. Acting under legal advice, the then Board, not being of my appointees, again failed to comply with my desires, and the harbor building, foundations, and superstructure were contracted for and constructed at a cost of about \$1,000,000, and not in any manner under the Act of 1876. I brought the matter to the attention of the Legislature in my Biennial of 1897, but it declined to interfere with the action of the Board (which were not of my appointment) or to change the laws. Modifications of the original plans were made by a resolution of the Board in January, 1897, which modifications are the basis of the changes made thereafter. The construction of this building, from the time it was authorized by law to the time it was completed, was done in direct disregard and opposition to my opinion, expressed to the Commissioners themselves and to the Legislature of the State of California.

The proposed Central Board should also have the power to regulate the salaries, wages, and number of employes of all State institutions, and it should be required to equalize such wages so that equal services shall receive equal pay by those employed in conducting the State's business. It cannot now be done, because there is no General Board with full powers, and the local pressure is often too great for the local officials to withstand. In this connection, I desire to say that I appealed to the Legislature in my biennial message to permit the State Board of Examiners to limit the number of employes on the waterfront of San Francisco, and to regulate their wages. I recognized that when, in March, 1890, a Democratic Board of Harbor Commissioners turned the offices over to their successors, they had massed for the State, and there was in the treasury the sum of \$190,000, and that such moneys which had formerly been collected would not be saved under the system in vogue. The Legislature again refused to allow the Board of Examiners to interfere with the employes of the Republican Harbor Commissioners, as they had done two years before.

The Central Board should have the power of adopting a uniform system of book-keeping for the institutions of the State. It is one of our most needed reforms.

The Central Board should be given enlarged powers of inquiry, general and supervisory powers over all the institutions of the State, and appellate powers over the action of any board. The Legislature will recognize, as I said in my Inaugural, that the Governor is held responsible in the eye of the people for the conduct of the State, and especially of his appointees, and therefore should have some power over them.

It is also a fact that it is the duty of the Legislature to legislate for, and of the Executive branch of the Government to carry on, its institutions, and the sooner this is clearly considered and defined, the better for the State it will be in many respects.

ADULTERATIONS.

People who, to profit themselves, send fruit or wine or other products of the State abroad in either a diseased or an adulterated condition, should be most severely punished. The fruit products of this State have advanced within the last few years beyond all hope of home consumption; and unless a foreign market can be obtained the trees or vines, as the case may be, will have to be cut down and the lands used for other purposes.

At a meeting of the Board of Regents, on the 13th of last December, one of its most careful and conservative members, Regent Hallidie, stated that of our fruits shipped abroad much was infested with scale, and for these reasons was rejected. If publications be correct, the markets of the Old World are being closed against us by reason of this same lack of care, or worse, on the part of our shippers. Within the last month a report came from Mexico of the seizure of California wines because of their injurious adulteration. When the battleship "Wisconsin" was launched in San Francisco recently, a prejudice against our wine made itself manifest, as the people from the East who christened the ship did so with wines of foreign production.

At the Peace Jubilee, our wines were excluded from the list. During the last session of the Legislature, a pure wine law bill was passed, which I could not approve because of its manifest imperfections. I would recommend that a law be enacted making it a felony or a misdemeanor—in the discretion of the trial court—for any person to ship to a foreign market, either intentionally or through criminal negligence, diseased fruits or adulterated wine or food.

PURE FOOD LAW.

No improvement can be made on the Pure Food Law of March 26, 1895. The law is short and comprehensive. It has accomplished great good since its passage, and should

this Legislature impose on the State and local boards of health the enforcement of the same, it will accomplish all that can be desired by the most enthusiastic advocates of food regulations.

CATTLE AND QUARANTINE.

Your honorable body should certainly consider the passage of some proper quarantine law for cattle. This subject has been the cause of much hard work on the part of State officials and boards. Twice have eminent physicians been sent to Washington, D. C., in the hope of bettering our condition. Twice has it been necessary to request District Attorneys to enforce strictly the criminal statute of 1893, and almost constantly the Executive of the State, or the Secretary of the State Board of Health, has been engaged in correspondence and investigations on the subject. The present quarantine law is insufficient. Under the opinion of the Attorney-General of this State, the Contagious Disease Fund is applicable to contagious or infectious diseases of human beings only. A law should be passed giving full power to the State Board of Health to employ such assistance as may be necessary, and the moneys in the Contagious Disease Fund should be made to apply in cases of cattle quarantine in the same manner and to the same extent that they now do in cases of human quarantine.

The Department of Agriculture has relieved our condition. Its agents, with those of the State, have worked diligently. The quarantine lines, to meet the varying conditions, have been changed, but we have no proper laws to protect these lines. During the dry season, I was compelled to appeal to the Governors of other States for permission to transport and feed inspected cattle in their States. Had the cattlemen of California seen the necessity for action in this matter sooner, and aided the efforts of the Executive to secure the passage of a proper law as recommended, they would not have suffered so severely during the last dry season.

It may seem peculiar that a State which has spent on agricultural societies, within a few years, \$1,054,229, should not have on the statute books a proper law to protect its cattle, horses, sheep, or other animals or fowls; yet such is the fact, and, under the law, public funds cannot be directly used for such protection.

HEALTH.

During the administration, the subject of health has been much discussed in the State, owing to the passage of pure food laws by the Legislature, and the energetic and untiring efforts of the San Francisco Board of Health, who have established and enforced the best sanitary regulations in that city.

NUISANCE AT FOLSOM.

I again call attention to the nuisance at Folsom. The State Board of Health has pronounced against it, and called attention to the unhealthy condition of affairs existing there. The last Legislature failed to provide means to remedy the evil, though it was recommended. A deficiency was allowed in June, 1898, by the State Board of Examiners for this purpose. It has not been used, as the Board preferred to lay the matter before the Legislature. This evil should be remedied, for there is no reason why the waters of a stream from which the people of the Capital pump water for domestic purposes should be polluted in this manner.

OUR STATE INSTITUTIONS.

Prior to 1889, there were in California but eleven State institutions. The population of these was but 5,479. With inexpensive additions to the buildings and a few more attendants, the State could have handled the natural increase of inmates for twenty years. The Legislature passed laws increasing the asylums from three to five, although it had been reported two years previous by the Superintendent of the Stockton Asylum that that institution had carried on its records for many years a large number of inmates not entitled to admission thereto. If we must retain this class in State institutions, it should be in one not designated as an insane asylum.

As an example of economical and efficient management of a public institution of this class, I call attention to the San Francisco City and County Almshouse, under the supervision of Capt. E. A. Reddy, where the inmates, averaging 961, cost but 29 ¹/₁₀ cents per day, included in which amount are numerous and valuable improvements which have been made for the benefit and welfare of the city's wards.

I call attention to recommendations on this subject in my first Biennial, as I believe the State should be conducted on business principles.

THE STATE UNIVERSITY.

This institution has been specially favored during the past four years, and is now in a flourishing condition. In 1895, the Legislature passed an Act appropriating \$250,000 for the construction of Affiliated College Buildings in San Francisco. The site, a magnificent one, was donated by the late Mayor Sutro, and a series of buildings have been erected and opened without the Regents calling on the State for one dollar beyond the actual appropriation, the Regents having regarded the request of the Executive that the construction be under the provisions of the Building Act of 1876.

The liberality of the Legislature is appreciated by the people of this State. It was a proud occasion when one of the first graduates of the University of California could,

as its Governor, sign such a law, and as President of its Regents assist in putting it into effect. Besides this, the session of 1897, finding the University crippled for funds, passed a bill providing that two cents should be raised for the University in place of the one cent it had had before. This bill passed unanimously, and, where so many aided manfully in the good cause, it would be impossible to give special credit, but—as every member of the Legislature will recognize—the unanimity with which the bill was passed was largely due to the efforts of Assemblyman Wright, of Alameda. Since these two generous acts, the strides of the University have been powerful, and with the new vigor instilled and the younger blood to be infused, we may expect this institution, so long conducted with such care and propriety, soon to take its place among the great Universities of the world. For its material, systematic, and harmonious growth, we are largely indebted to our private citizens.

In the name of the State, I desire to publicly thank Mrs. Phoebe Hearst, Miss Jennie Flood, Louis Sloss, the Alaska Seal Company, and others, for their munificent gifts to this great institution during my administration.

OUR NORMAL SCHOOLS.

Our normal work has greatly improved under the new laws. Each institution is better and stronger than ever before, and its attendance much larger. The presidents all commend the new law, which has enabled them to work in so much unison and to such great advantage. I cannot better express my opinion on this subject than in the language of the reports herewith transmitted.

OUR STATE PRISONS.

For the reasons stated in my Biennial, the State prisons should be consolidated. The Legislature should close San Quentin, enlarge Folsom, and turn one of our reform schools into a prison for first-termers. In any event, one of our reform schools should be turned into a prison for first-termers, work given to fit them for honest employment, and ten per cent of their earnings laid aside with which to start in life when their terms have expired.

The long sentences prevalent in this State are matters for severe condemnation. The practice not only fills our prisons, but shuts out hope from the offenders. When we make a comparison with other States of the Union, we find our sentences for first-termers to be far greater than the average of other States. The youth of the offender should be considered, and Judges should be compelled to inquire into the circumstances, to which I alluded in my Biennial:

“I would advise that all Judges be required to inquire as to the habits, the bringing-up, the business, character, and antecedents of all persons convicted, and as to all facts tending to influence the person to commit crime, which could not be in evidence on the trial, and that a record be kept thereof and transmitted to the prisons themselves, for preservation and confirmation.”

The law as to burglary should be divided into more degrees, and the entry of out-houses, barns, sheds, chicken-houses, and the like, should not be punished with the severity meted out for the entry of a dwelling-house, with felonious intent, which cannot be too severely punished. So, the stealing of animals should be grand or petty larceny, according to the value of the animal stolen, and not in accordance with its kind.

DEAF, DUMB, AND BLIND.

Nothing can be added to what I said of the Deaf, Dumb, and Blind Institute in my first Biennial, and the same might well be repeated, except as to figures. I am still of the opinion that well-to-do parents who have children in this institution should be compelled to pay for their clothing, board, and tuition, instead of requiring the State to maintain them, as it does to-day.

GLEN ELLEN.

I consider this one of the best conducted and most useful institutions in the State. Here minds not strong enough to follow the teachings of our common schools are brought out, improved and developed by a system novel and interesting. Under a law passed in 1897, it has been placed in better condition than ever before. I refer to the abstract of the report of said committee, transmitted herewith, and fully indorse the same.

YOSEMITE COMMISSION.

The work of this Commission has continued excellent, as is shown by the synopsis of the report herewith transmitted. A larger appropriation should be allowed the Commissioners than heretofore. A building of stone, one and a half stories high, should be constructed on Glacier Point, which rivals any place in the world for scenic effects.

DISTRICT AGRICULTURAL SOCIETIES.

I have twice vetoed appropriations for these societies because the Legislature granted too much, and for too many.

The persistence with which they refused a proper reorganization, after the findings of two administrations against their number and their methods, is unreasonable. It has been the desire of this administration to see them reorganized into three, five, seven, or even nine societies, as might best serve the interests of the various sections.

The benefit they might be to the State and to each other, if organized, is apparent; but taking \$150,000 of the people's money each two years, and giving it to these societies, half to be spent in violation of law, is unjust and improper. I well understand how easy it is to receive the applause of those who desire the benefit of these gifts, and how severe is the abuse for refusing to pillage the treasury, but I now repeat that the appropriations claimed are outrages upon the taxpayers of the State.

In these vetoes alone, I have saved the State nearly three hundred thousand dollars.

ORPHANS.

In view of the recommendations of the Controller to change the laws relating to orphans and half-orphans, because of the large amounts expended therefor, I desire to call the attention of this Legislature to the fact that, in the past, we have expended large sums for much less worthy purposes.

In this connection, I desire to state that we should extend the period for which orphans and half-orphans are cared for, from fourteen to sixteen years of age. There should not be any reduction in the sum allowed for the maintenance of these children. A child of fourteen is ordinarily unable to care for itself.

HOSPITAL FOR THE INSANE.

The lunacy laws of California were amended during the year 1897, and the arrest and treatment of insane persons as criminals was stopped. The new law has worked well and economically thus far, but not to the extent possible. I would recommend that the Superintendents of the five hospitals and the General Superintendent be examined and their views obtained as to the workings of the law and the changes needed.

COUNTY CHARGE FOR MAINTENANCE.

A law should be passed making a fixed charge upon counties for each person sent therefrom to an insane asylum. In two classes of institutions such a charge has been imposed by recent laws, and in each case the law has worked to the benefit of the State. It creates little friction when once inaugurated, and compels the county officials to exercise the greatest care in looking into the antecedents of applicants, as well as into their ability to pay for accommodations. Such a plan would prevent many impositions. It is impossible for an officer in a State institution hundreds of miles from the patient's home to inquire into the matters as effectually or as cheaply as could the home county officials. How a similar law has worked in the reform schools is told by Superintendent Banks in his report of 1896. He said:

"By this time the law passed in 1895 (which put half the burden of expense upon the county) came into effect, and the courts became very careful in making commitments, and since that time the average number of admissions per month has been reduced."

The effect is shown in the following statement as to the population of the following institutions:

	1896	1898
Whittier, population	407	316
Ione, population	202	141

The Superintendent of Ione notes this decrease in population, and correctly ascribes the cause to the law. At Glen Ellen, a similar plan has been adopted with remarkable success.

GOVERNOR'S RESPONSIBILITIES.

I leave State institutions in far better condition and under better laws than they were when I became Governor. It is impossible, however, that some of the seventeen State institutions shall not be disturbed occasionally by some outbreak or petty quarrel among officials. The correction of these is not possible until the Legislature grants more powers to the Governor. Now when a trustee is appointed the Governor's power ceases entirely.

As I said to the Trustees of Preston School of Industry in my published letter of November 16, 1897:

"Gentlemen: You were appointed under the Act of February, 1893, to manage the Preston School of Industry, and charged by said Act 'with the general government and supervision of said school.'"

"The Governor of the State is neither a member of your Board nor has he authority to manage said institution; his powers are merely supervisory and advisory, to which end he may require information from you upon any subject relating to your duties. (Article V, Sec. 5, Civil Code)"

But, as I said in my message to the Legislature, "If the Governor is to be held responsible for the conduct of the departments whose incumbents he names, he should be given control of those functionaries," etc. Such control has not been given.

I appealed to the last two Legislatures to pass some law empowering the Governor to control the institution, and pointed out how much I had been embarrassed by the lack of such laws. Both Legislatures refused to pass the requisite bills, and I found myself helpless when occasion arose for severe and determined treatment.

If abuses exist they are the direct result of such failure to pass the bills recommended. I again recommend that "for cause and upon a hearing" the Governor be given the power to remove his own appointees.

What little power a Governor now has was exemplified by the matters connected

with the San Francisco waterfront until it became Democratic. I have discussed the subject in my remarks concerning a Central Board.

SCHOOL MATTERS.

There have been a number of suggested attacks on the State School Fund lately.

This fund is made up by a tax of a certain amount for each school census child. I have little doubt that some persons, economically mad, may attempt to lower the same in the interest of a claimed economy.

They will begin by attacking the amount apportioned by an administration as excessive. The Controller says: "The amount to be raised for the State School Fund by an ad valorem tax is seven dollars for each census child between the ages of five and seventeen years, which census is reported to the Controller by the Superintendent of Public Instruction on or before the tenth day of August of each year." And again: "The census returns of 1898 made by the County Superintendents and reported by the Superintendent of Public Instruction, give the aggregate number of school children of the requisite age as 374,624. The amount necessary to be raised by the tax levy for each of the fifty-first and fifty-second fiscal years is \$2,622,368." (Report of 1898.) Previous reports are to the same effect, showing that the amount raised is a matter of calculation merely.

The fact that my second year required only \$2195,459, while my successor's first year will require for this fund \$426,909 in excess of this amount, or nearly a million more in the next two years, is a matter of calculation only, with which he has no more to do than with the increase of census children. Neither can he thereby be charged with extravagance, because the same is not included in the general cost of the Government. If any one objects to the increased amount paid into the School Fund, he must reduce the amount per scholar—or reduce the scholars.

I am proud of the fact that the only tax funds of my term that have in any way equaled those of my predecessor's term are the School Fund, where of necessity and without my cooperation the expenditure has been over a million more than his, and the University Fund, where we have increased the tax one cent. The other two tax funds, the Interest and the General, have been much lower.

THE STATE PRINTER.

In his report of 1896, the State Printer said the Legislature of 1897 could easily save \$20,000 in its printing bills. The same Legislature's experts pointed out how from \$15,000 to \$20,000 more, also, might be saved. Neither suggestion was acted on. The Legislature appropriated for the State Printing Office:

First—\$40,000 for the School Book Fund. This was not needed. The Revolving Fund was sufficiently full for all practical purposes. The Controller had stricken this item from his estimates as unnecessary, and this year omits a recommendation in its favor. My veto of this item was a saving of \$40,000, which, added to the above admitted possible savings, would aggregate nearly \$40,000, had there been any desire to economize.

Second—The Legislature also included an item of \$275,000 for the Printing Office. This amount was sufficient to conduct the office until the session of the present Legislature only. This appears from the report of the State Printer of 1896, page 11.

The Legislature of 1895 had appropriated for the Printing Office \$250,000 originally, and the session of 1897 added to this \$82,500 for completing the work to June 30, 1897, a total of \$332,500—an immense sum, the benefits of which are not so easily seen. To this was added \$40,000 more for the School Book Fund, or \$372,500 for this office. With all this appropriation, marvelous as it may seem, the office did not finish its work that year.

I vetoed this last item of \$275,000 appropriated by the Legislature of 1897. It was excessive. Since July 1, 1897, we have had no State printing, and there has been no great inconvenience. All the necessary printing of the different tax departments of the State, and all that is necessary to be printed of the reports, could have been done during this period for less than \$50,000. Of course, printing cannot be done cheaply if the Printer be compelled, as now, to do all kinds of work requested by the various offices and institutions, nor if they are able to make of the printing office a stationery establishment, nor, yet, if legislators can carry their friends on the Printer's list, or interfere with his appropriations in case he refuses to comply with their requests.

The Printer should do none of the work for institutions like the State Library, the Harbor Commissioners, the Bank Commissioners, the Building and Loan Commissioners, and the numerous other boards which are not supported by a tax on the people. They have their sources of revenue separate and apart from ordinary State revenues, and should pay for their printing and binding therefrom.

Each institution or officer accorded printing privileges should have charged to his appropriation, the printing, as he now has charged any other article he buys. My veto has demonstrated the cheapness with which the work can be done in this manner.

In passing, I would say that the State Printer was willing to print in advance work for the Legislature that could not regularly be ordered for it prior to its organization, except by common consent. He was willing to print also, for the use of other officials, certain reports, none of which, under the law, are for delivery to your honorable bodies. In both of these matters he was supported by the State Board of Examiners, but some members of your body did not wish it so.

A STATE ROAD SYSTEM.

The Legislature of 1895 accepted the road leading from Placerville to Lake Tahoe. The Legislature of 1897 made a proper appropriation, and we now have one of the finest public roads in the mountains. I had hoped before this to have seen completed the model road from Sacramento to Folsom, thus leaving a gap of but thirty miles, which the State and counties could have closed during the next two years. In establishing a rock-crusher at Folsom and approving the Good Roads Commission law, I had in view a nucleus for a great system of highways for this State.

Road-building has been so crude that the money spent thereon annually (about one million seven hundred thousand dollars) appeared largely lost. To start upon a road system in all directions would be too great an undertaking; but to begin with a well-planned road like the Tahoe one; to establish a rock-crusher that could force down the price of rock values in Sacramento, Stockton, Marysville, and elsewhere; to, later, build a model road to Folsom, join it with the Placerville road; and to add to this, in time, one from Sacramento to Stockton, thence down the valley, then from Sacramento north, would establish the backbone of a road system with great possibilities.

As Sacramento County cannot vote bonds for its share of the road to Folsom under a Supreme Court decision, the State should build the road itself.

OUR NAVIGABLE RIVERS AND HARBORS.

The improvement of the navigable rivers and harbors of a State is a matter for the National Government. For years, however, the appropriations for the improvement of the navigable waters of the Sacramento, San Joaquin, and other channels leading to the bays of San Francisco, Suisun, and San Pablo, have been so small as not to meet requirements. For this reason in my first biennial message I recommended:

"This State has in recent years expended millions of dollars in the construction and furnishing of buildings and in their maintenance for the benefit of the wards of the State. It has expended thousands of dollars under a Commissioner of Public Works, under the Act of 1893, and in 1893 passed a law providing for the expenditure, by a Debris Commissioner, of a quarter of a million of dollars for the protection of the sources of our rivers, while upon the navigable portion of those rivers themselves they have not expended, for years past, one dollar. Our rivers are the natural arteries of the State for commerce. South of the Tehachapi the southern harbors have and will receive millions of dollars from the National Government. To the north, Humboldt harbor has received large sums for its improvement from the same source. For the mining interest Congress voted \$250,000 and our State \$250,000, or half a million. Yet these great arteries of commerce remain practically neglected. The great valleys of the State contain of available land 25,000,000 arable acres, and through them flow these mighty rivers, daily being ruined by neglect. The improvement of these rivers should be by the National Government, but where it hesitates, nay, halts, when it should begin, the State ought to step in and do the work itself. The entire State is deeply interested in this subject, and I recommend to your honorable bodies that you consider this matter carefully, devise ways and means of giving our interior the relief it needs, and enact a law carrying a proper appropriation for that purpose."

The Legislature, by the Act of 1897, appropriated \$300,000, which was expended as follows. I cannot give better results than in the concise language of the Board:

"It is estimated that to complete the work now under contract will bring the total expenditure up to \$125,000, leaving a balance in the appropriation of \$175,000.

"The jurisdiction of this department should be extended so as to include all of the Sacramento, San Joaquin, Feather, and Tuolumne rivers, and Petaluma, Alviso, and Napa creeks. The State should take upon itself the responsibility of improving these streams, as well as completing the work already recommended by this Department. The improvements suggested would involve an expenditure not to exceed \$200,000, and would result in a great saving in the cost of transportation and a material improvement in the commercial and industrial conditions of the State."

I indorse the recommendations and approve the work, and am pleased that a start has been made in the right direction. All navigable waters entering into the bays of San Francisco, San Pablo, and Suisun should be included. Ten per cent of the receipts of harbor dues of San Francisco should be paid into a State fund to be expended in improving the navigable waters leading into San Francisco Bay.

CIVIL SERVICE.

In my Biennial I said:

"I favor placing the insane asylums and other similar institutions of the State absolutely upon a civil service basis, and will cooperate with your honorable bodies to that end," etc.

I advocated the clause placing our hospitals for the insane under civil service.

It is now a part of the asylum laws of the State.

The State Normal Schools have been placed on even a better basis.

My request to the Board of Prison Directors is shown by their report:

"Among the praiseworthy acts of your administration, we are confident that you will look back with more satisfaction to none than the effort you have made to remove the prisons of this State from politics. At the outset you advised the members of our Board that it was your wish that no official that was performing his duties acceptably should be disturbed in his position. This rule it has been our pleasure to enforce. As

a result, we can report that the efficiency of the service at both prisons has never before reached so high a point, and that this is due to the fact that subordinates understand that their tenure of office depends entirely on their own trustworthiness, there can be no manner of doubt. Having some personal knowledge on the subject, we unhesitatingly assert that the prisons are the last institutions in which the official lists should be held out as prizes for political service. Men who are capable of dealing with the complex problems of convict life are rare, and when found should not be displaced."

Whenever spoken to on this subject by trustees of State institutions, I have insisted that none but competent persons be employed, and that wherever an incompetent person was found working for the State that person should be discharged, no matter by whom recommended. I have refrained, except in a few instances, from making recommendations for positions in such institutions.

THIS ADMINISTRATION.

In accordance with the declaration of my Inaugural I have made a careful study of our institutions. I have devoted the full time of my entire term to the duties of my office, and am one of the few Governors of this State who has given up his occupation to serve it.

I had two legislative sessions, both Republican, with which to work in changing old, and framing new laws.

When the last Legislature adjourned in 1897, my functions as a part of the law-making power ceased, and my duties became solely executive, largely of detail, and as easily performed from Stockton and San Francisco as at Sacramento. Until the close of the session of 1897 my time was devoted to studying State institutions, their needs, the laws governing them, and the manner in which other laws could benefit the people. During this period I passed every hour possible—both day and night—in Sacramento on State affairs.

At the sessions of 1895 and 1897 many bills of my suggesting and my devising were passed.

Of the seventeen State institutions, thirteen were beneficially affected thereby and ten were reorganized.

Laws affecting pure food, our dairies, good roads, requiring inventories of State property, advancing the interests of the University and appropriating money for its colleges, placing asylums and the Normal Schools under systematic laws, Glen Ellen and the Reform Schools under tax-saving laws, repealing the Coyote Bill and the Indigent fraud, reducing the expenses of the Government and placing it on a cash basis, and improving the Sacramento and San Joaquin rivers, are a few of those that received my active support.

How ill I became is a matter of general knowledge. When, and only when, the session of 1897 closed, did I obey the peremptory orders of my physician. Sacramento remained my official residence, as it is the official residence of all State officers, but as late laws provided, my home, like the home and voting place of other officers, was elsewhere.

I have devoted my strength to the welfare of the State, and although, on account of illness, granted a leave of absence, I remained to discharge my duties in answering the call of the President of these United States for volunteers.

I lay down the office without health or practice. I hope my successor may not be compelled to hew each step of his four years through adverse Legislatures to maintain his pledges to the people.

JAMES H. BUDD, Governor.

APPENDIX A.

The following is a letter from the Controller in response to my request, showing the exhaustions of the General Fund and the transfers of moneys alluded to:

CONTROLLER'S DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, December 8, 1897. }

HON. JAMES H. BUDD, *Sacramento, Cal.*

DEAR SIR: Replying to your favor of yesterday, in which you request me to furnish you "with a tabulated statement showing per year, for the past ten years:

"First—The date each year when the General Fund was exhausted.

"Second—The amount of warrants drawn against same while so exhausted."

Following is the statement I have prepared:

May	1, 1887, General Fund exhausted.	
Jan.	1888, Resumed payment, overdrawn.....	\$1,482,703 19
Aug.	23, 1888, General Fund exhausted.	
Jan.	1889, Resumed payment, overdrawn	679,316 67
Aug.	17, 1889, General Fund exhausted	
Jan.	1890, Resumed payment, overdrawn	942,132 48
Oct.	14, 1892, General Fund exhausted.	
Dec.	1892, Resumed payment, overdrawn.....	359,758 77
June	9, 1893, General Fund exhausted	
Dec.	1893, Resumed payment, overdrawn	1,611,754 63
April	10, 1894, General Fund exhausted	
May	1894, Resumed payment, overdrawn	45,028 88
July	22, 1895, General Fund exhausted	
Dec.	1895, Resumed payment, overdrawn	928,973 51

On the 11th of April, 1893, I transferred from other funds to the General Fund \$300,000 to prevent the latter from becoming exhausted until after the May settlements. Again, on September 1, 1894, I transferred \$710,000 from other funds, and on November 16, 1894, an additional \$150,000 in order to carry the General Fund on a paying basis until the December settlements of that year. But for this action the fund would have become exhausted on the 7th of September, and before payments could have been resumed the fund would have been overdrawn to the extent of about \$895,000.

Very truly,

E. P. COLGAN, Controller.

It will be noticed that the small balance left by my predecessor caused the fund to be exhausted twice before my first tax moneys came in.

APPENDIX B.

March 11, 1895.

HON. J. H. BUDD, Governor.

DEAR SIR: In reply to your verbal inquiry of to-day, the following statement shows the estimated condition of the General Fund of the State Treasury as it will exist on July 1st next—not taking into account the appropriations made and to be made by the present Legislature:

Balance in available appropriations January 1, 1895.....	\$1,766,563 32
Deficiency salary of Superior Judges	3,166 65
Estimated expenditure for orphans	300,000 00
Estimated expenditure for indigents.....	200,000 00
Expenditure for veterans, two quarters	22,500 00
Salary of Débris Commissioner, 6 months	1,800 00
Salary of Secretary of Commissioner, 6 months	750 00
Salary of Keeper of Archives, 6 months	1,000 00

Total estimated expenditures..... \$2,295,779 97

Balance in General Fund January 1, 1895.....\$1,146,016 34

Estimated Receipts.

Amount of property tax, second installment.....	\$983,855 76
Second installment R. R. tax, 1893	61,338 17
Second installment R. R. taxes, reassessment 1886 ..	39,062 29
Receipts from State officers.....	15,000 00
Received from R. R. tax suits in February.....	23,566 37

Excess of expenditures over revenue

\$76,941 04

From the foregoing it will be seen that a deficiency of \$76,941 04 will exist in the fund on the date mentioned. To the amount must be added all appropriations made by the present Legislature which take effect prior to July 1st. Bills have already been passed carrying appropriations aggregating \$861,000, which take effect immediately. Of these appropriations you have approved \$289,248 59, and this amount has already been or will be disbursed.

It is important that as few appropriations as possible be made immediately available, as revenue to meet them cannot be collected until January 1st next, and they will only add to the amount of the deficiency already existing.

On January 19th I addressed a communication to the Ways and Means and the Finance Committees, calling their attention to this matter, and particularly requested that all bills carrying appropriations for purposes other than the payment of deficiencies already created be amended so as to render the appropriations effective after January 1, 1896.

Respectfully,

E. P. COLGAN, Controller.

APPENDIX C.

Amount of claims passed to Governor Budd's administration that should have been provided for by former ones:

Orphans.....	\$210,756
Aged.....	347,406
Débris	250,000
Deficiencies	602,557
Recommended by Board of Examiners.....	74,963

Total

\$1,485,682

Coyote scalps.....

266,230

\$1,751,912

APPENDIX D.

Expenditures from the General Fund, January 1, 1891, to January 1, 1899 :

Governor Markham's Administration—

Jan. 1, 1891, to June 30, 1891.....	\$1,758,554 04
July 1, 1891, to June 30, 1892.....	5,489,465 23
July 1, 1892, to June 30, 1893.....	3,961,042 90
July 1, 1893, to June 30, 1894.....	3,737,950 48
July 1, 1894, to Jan. 1, 1895.....	1,957,116 15
Transferred from General Fund to Interest and Sinking Fund (Stats 1893, p. 49).....	120,000 00
Transferred from General Fund to Whittier Reform School Fund (to correct error).....	1,832 26
Total.....	\$15,025,961 06

Governor Budd's Administration—

Jan. 1, 1895, to June 30, 1895.....	\$2,268,853 75
July 1, 1895, to June 30, 1896.....	2,913,539 67
July 1, 1896, to June 30, 1897.....	3,209,039 88
July 1, 1897, to June 30, 1898.....	3,058,690 31
July 1, 1898, to Jan. 1, 1899 (estimated).....	1,800,000 00
Transferred from General Fund to Rock-Crushing Revolving Fund.....	5,000 00
Transferred from General Fund to Whittier State School Fund.....	1,949 21
Transferred from General Fund to School Fund.....	71 25
Total.....	\$13,257,144 07

APPENDIX E.

Tax Levy Bill for support of State Government for ten years, both by legislative periods and by years:

	General Fund.	School Fund.	Interest & Sinking.	Gram Schools	Mendocino Asylum Fund.
July 1, 1889, to June 30, 1890, 41st yr....	\$4,822,970	\$1,893,500	\$200,000	\$75,000	
July 1, 1890, to June 30, 1891, 42d yr....	4,822,970	1,893,500	200,000	75,000	
Total.....	\$8,022,010	\$3,787,000	\$400,000	\$150,000	\$175,000
Transfers.....	84,711				
July 1, 1891, to June 30, 1892, 43d yr....	\$2,622,694	\$1,966,174	\$110,000		\$175,000
July 1, 1892, to June 30, 1893, 44th yr....	2,756,964	1,966,174	151,710		
Total.....	\$5,379,638	\$3,932,348	\$261,710		\$175,000
Dec., 1892, overd'n....	359,758				
Transfers.....	306,174				
July 1, 1893, to June 30, 1894, 45th yr....	\$4,262,225	\$2,057,279	\$141,435		
July 1, 1894, to June 30, 1895, 46th yr....	3,312,920	2,037,279	141,435		
Total.....	\$7,575,145	\$4,114,558	\$282,870		
Dec., 1893, overd'n....	1,611,754				
Transfers.....	890,000				
July 1, 1895, to June 30, 1896, 47th yr....	\$4,913,106	\$2,195,459	\$141,435		
Dec., 1895, overd'n....	928,973				
July 1, 1896, to June 30, 1897, 48th yr....	2,681,371	2,195,459	141,435		
Total.....	\$7,594,477	\$4,390,918	\$282,870		
July 1, 1897, to June 30, 1898, 49th yr....	\$2,553,602	\$2,314,963	\$141,435		
July 1, 1898, to June 30, 1899, 50th yr....	2,553,602	2,314,963	141,435		
Total.....	\$5,107,204	\$4,629,926	\$282,870		

REPORT OF BOARD OF STATE CAPITOL COMMISSIONERS.

SACRAMENTO, December 1, 1898.

To the Senate and Assembly of the State of California.

At the date of the last report of this Commission, December 1, 1896, there was a balance to the credit of the Commission, as follows:

Receipts.

Appropriation for "Purchase of implements, hose," etc., balance on hand, December 1, 1896.....	\$1,770 24
Appropriation for "Salaries of employes," balance on hand, December 1, 1896.....	8,435 00
Appropriation for "Salary of special policemen," balance on hand, December 1, 1896.....	2,100 00
Appropriation for "Lighting State Capitol grounds," balance on hand, December 1, 1896.....	1,176 00
Appropriation for "Water for State Capitol grounds," balance on hand, December 1, 1896.....	600 00

Expenditures.

December 1, 1896, to June 30, 1897.....	
From appropriation, "Purchase of implements, hose," etc.....	\$1,770 24
From appropriation "For salaries of employes".....	8,435 00
From appropriation "Salaries of three policemen".....	2,100 00
From appropriation "Lighting State Capitol grounds".....	504 00
Balance, June 30, 1897.....	672 00
From appropriation "For water for State Capitol grounds".....	600 00

The thirty-second session of the Legislature made the following:

Appropriations for the support of the State Capitol grounds for the forty-ninth and fiftieth fiscal years.....	\$10,000 00
Appropriation for "Lighting State Capitol grounds".....	1,728 00
Appropriation for "Salaries of employes of State Capitol grounds" (twelve men at \$90 per month; one man at \$125 per month—gardener).....	28,920 00
Appropriation for "Salaries of three policemen" (\$100 per month).....	7,200 00
Appropriation for "Improving Capitol grounds and building".....	
Painting Agricultural Pavilion.....	\$2,500 00
Sewer for building and grounds.....	2,500 00
Filling in grounds.....	1,000 00
	<u>6,000 00</u>

Expenditures.

From appropriation "For purchase of implements, hose" etc., "Care and improvement of State Capitol grounds," to December 1, 1896.....	7,425 85
Leaving a balance of.....	2,574 15
From appropriation for "Lighting State Capitol grounds," to December 1, 1898.....	1,224 00
(Seventeen months at \$72 per month, eight lights all night circuit). Leaving a balance of.....	504 00
From appropriation for "Salaries of employes on State Capitol grounds," to December 1, 1898. (Stats. 1897).....	20,485 00
Leaving a balance of.....	8,435 00
From appropriation for "Salaries of special policemen," to December 1, 1898.....	5,100 00
Leaving a balance of.....	2,100 00
From appropriation "For improving State Capitol grounds and buildings".....	
Expended on contract for painting Agricultural Pavilion.....	\$2,500
Expended on contract for putting in sewer and cementing same.....	2,500
Expended on contract for filling in State Capitol grounds.....	<u>1,000</u>
Total.....	6,000 00
Leaving no balance.	

The appropriation for water was omitted by the Legislature, and the Commission have paid from the appropriation for "Purchase of implements, hose," etc., "Care and improvement," the sum of \$1,800. Balance to become due on or before June 30, 1899, \$600.

As to the work done, the efficient Gardener, Mr. M. H. Dunn, reports that the winter of 1897-98, all the flower-beds (sixty-three in number) were planted to bulbs, assorted pansies, daisies, cinerarias, etc., and as fast as they finished blooming these beds were replenished by summer and fall plants, about 2,200 of which were propagated by him in

the hothouse on the grounds. In June a fine lot of chrysanthemums (over 3,000 plants), also propagated by the Gardener, were set out on the grounds, and made a fine showing. A large assortment of dahlias, of infinite variety and beautiful coloring, also added much to the beauty of the garden.

At present the force of employés are busy pruning the rose hedges, respading the beds, spreading fertilizer, and clearing off the plants cut down by the frost.

The Gardener suggests as necessary work the finishing of the walks in the grounds east of Thirteenth, and the grading and macadamizing of Thirteenth Street, in such a manner as to remove the divided appearance of the garden as it now stands, with the unfinished street across it; also, the grading and planting of the corner next to the Pavilion and facing on Fifteenth and M Streets.

Great credit is due Mr. Dunn for his work, and the Board feels that the result fully justifies its request that four more men be employed for the care of the grounds, in addition to the twelve now employed, one of whom shall be a skilled gardener and propagator. The lack of training in the men employed by the Board is a great drawback to the accomplishment of efficient work.

The Board recommends for the permanent improvement of the State Capitol grounds, and to enable visitors and residents to enjoy this beautiful park, that the driveway planned when the grounds were originally laid out, be completed in conformity with said plans. This driveway is a continuation of the one around the Capitol building, and as designed, should follow the line of palms and elms, now grown to a fine size, that wind down through the garden below the line of Fourteenth Street, and back toward the driveway already constructed.

A fine bituminous road could be constructed, at an estimated cost of \$17,000. From this driveway a terrace should be laid out, similar to those skirting the drives in Golden Gate Park, San Francisco. This terrace to be planted with lawn and flower-beds.

A four-foot bicycle path, constructed of decomposed granite rock from Folsom Prison, to be had for the cost of hauling, should follow the line of the roadway above the terrace. To execute this plan it will be necessary to remove the greenhouse, which stands in the line of the proposed roadway. This building should be moved to the lower end of the grounds, and at a cost of about \$100, and not over \$200 will be necessary for building a new foundation. Should this be done, a piece in the lower grounds should be selected that will give sufficient room to permit of a nursery being added, to be hidden with a rose or cypress hedge. A fountain, with a basin twenty feet in diameter, filled with broken granite, and covered with growing plants, placed so as not to interfere with the erection in the future of a Governor's mansion, in the center of the grounds, east of Twelfth Street, would cost but little, be a very attractive feature, and add much to the beauty of the grounds.

[Signed] JAMES H. BUDD,
[Signed] W. S. GREEN,
Board of State Capitol Commissioners.

JOSEPHINE M. TODMAN, Secretary Board of State Capitol Commissioners.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., the Assembly, on motion of Mr. Dibble, adjourned until ten o'clock A. M. to-morrow.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 4, 1899. }

The Assembly met at ten o'clock and twenty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, C'aminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Kuowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson,

Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, Works, and Mr. Speaker—77

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Wade was granted leave of absence for one day, on request of Mr. Anderson.

REPORT OF SPECIAL COMMITTEE.

MR. SPEAKER: Your Special Committee to report Rules for the Assembly have the honor to submit the following Standing Rules, and recommend that they be adopted:

STANDING RULES OF ASSEMBLY.

I.—HOUR OF MEETING.

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until February 1, 1893, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to two o'clock P. M., unless otherwise ordered by a vote of the House.

II.—ORDER OF BUSINESS.

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day
12. Unfinished Business of the preceding day.
13. Business on Special File
14. Business on the General File and Third Reading of Bills.

III.—REPORTS OF COMMITTEES ON ENGROSSED AND ENROLLED BILLS.

It shall be in order for the Committees on Enrolled and Engrossed Bills to report at any time.

IV.—MESSAGES FROM THE GOVERNOR AND SENATE.

Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

V.—PETITIONS TO BE PRESENTED, WITH A BRIEF STATEMENT OF CONTENTS.

Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

VI.—INTRODUCTION AND READING OF BILLS.

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

VII.—INTRODUCTION OF BILLS BY COMMITTEES.

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of

the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

VIII.—DISPOSITION OF SENATE BILLS.

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

IX.—JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

Joint resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; and *provided further*, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

X.—PROCEEDINGS TOUCHING APPROPRIATIONS OF MONEY TO BE CONSIDERED IN COMMITTEE OF THE WHOLE.

All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

XI.—REFERENCE OF BILLS.

No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote, refer it to some other committee.

XII.—REFERRING WITH SPECIAL INSTRUCTIONS.

A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

XIII.—ORDER OF MAKING FILE.

Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule VI. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by committees shall be placed at the foot of the Second-Reading File, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Third-Reading File, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third-Reading File and Second-Reading File, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day.

XIV.—ORDER MAKING SPECIAL FILE

The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

XV.—TAKING UP BILLS OUT OF ORDER.

When a member shall ask leave to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of the bill, and its position on the file.

XVI.—ENGROSSING AND ENROLLING BILLS.

The Engrossing and Enrolling Clerk shall engross, and enroll, the bills which shall come to his hands for such purposes, in compliance with the provision of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House.

XVII.—BILLS TO BE REPORTED BACK WITHIN TEN DAYS.

All bills referred to any committee shall be by such committee reported back to the House, with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

DUTIES OF SPEAKER.

XVIII.—TO CALL HOUSE TO ORDER.

The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a chairman shall be elected from among the members to preside.

XIX.—TO PRESERVE ORDER; TO DECIDE POINTS OF ORDER; AND MAY SPEAK TO SAME.

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

XX.—TO HAVE DIRECTION OF THE HALL; MAY CALL ANY MEMBER TO THE CHAIR.

He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

XXI.—TO SIGN RESOLUTIONS, ETC., ATTESTED BY THE CLERK.

All Acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

XXII.—MAY ORDER THE GALLERIES AND LOBBY CLEARED.

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS.

XXIII.—TO ATTEND SITTINGS OF HOUSE; SERVE PROCESSES.

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker of the House, and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk and the committee attachés), and shall be responsible for the performance of their duties, and shall report to the Speaker any dereliction of duty on the part of any attaché. The Speaker shall have the power to remove any attaché for incompetency or for willful neglect of duty.

XXIV.—FEES OF SERGEANT-AT-ARMS.

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar, and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile; but no compensation shall be allowed for the arrest, custody, or releasement of members under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrest, custody, and release of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

XXV.—ASSISTANT SERGEANT-AT-ARMS TO BE DOORKEEPER.

The Assistant Sergeant-at-Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

XXVI.—STANDING COMMITTEES.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Attachés and Employés, to consist of five members.
3. A Committee on Banks and Banking, to consist of five members.
4. A Committee on Claims, to consist of seven members.
5. A Committee on Commerce and Navigation, to consist of nine members.
6. A Committee on Corporations, to consist of nine members.
7. A Committee on Counties and County Boundaries, to consist of five members.
8. A Committee on County and Township Governments, to consist of thirteen members.

9. A Committee on Contested Elections, to consist of seven members.
10. A Committee on Dairies and Dairy Products, to consist of seven members.
11. A Committee on Election Laws, to consist of seven members.
12. A Committee on Education, to consist of seven members.
13. A Committee on Engrossment and Enrollment, to consist of seven members.
14. A Committee on Fruit and Vine Interests, to consist of seven members.
15. A Committee on Fish and Game, to consist of seven members.
16. A Committee on Federal Relations, to consist of five members.
17. A Committee on Irrigation, to consist of nine members.
18. A Committee on Judiciary, to consist of twenty-one members.
19. A Committee on Labor and Capital, to consist of seven members.
20. A Committee on Manufactures and Internal Improvements, to consist of seven members.
21. A Committee on Mileage, to consist of five members.
22. A Committee on Military Affairs, to consist of seven members.
23. A Committee on Mines and Mining Interests, to consist of nine members.
24. A Committee on Municipal Corporations, to consist of seven members.
25. A Committee on Public Health and Quarantine, to consist of seven members.
26. A Committee on Public Buildings and Grounds, to consist of eleven members.
27. A Committee on Public Lands and Forestry, to consist of five members.
28. A Committee on Public Morals, to consist of seven members.
29. A Committee on Public Printing, to consist of seven members.
30. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
31. A Committee on Commissions, Retrenchment, and Public Expenditures, to consist of seven members.
32. A Committee on Roads and Highways, to consist of eleven members.
33. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
34. A Committee on State Hospitals and Asylums, to consist of nine members.
35. A Committee on State Library, to consist of five members.
36. A Committee on State Prisons and Reformatory Institutions, to consist of seven members.
37. A Committee on Swamp and Overflowed Lands and River Improvements, to consist of nine members.
38. A Committee on Ways and Means, to consist of eleven members.

XXVII.—COMMITTEES TO BE APPOINTED BY SPEAKER.

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

DUTIES OF COMMITTEES.

XXVIII.—ON CONTESTED ELECTIONS.

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question and be referred to them by the House.

XXIX.—ON WAYS AND MEANS.

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House, to inquire into the state of the public debt or the revenue, and of the expenditure, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall, thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider them and report thereon in consideration of the proper amount of expenditure to be named by the Legislature. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

XXX.—ON RETRENCHMENT, PUBLIC EXPENDITURES, AND COMMISSIONS.

It shall be the duty of the Committee on Retrenchment and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

XXXI.—ON ENGROSSMENT.

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

XXVII.—COMMITTEE EXPENDITURES.

No committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

XXXIII.—COMMITTEE OF THE WHOLE HOUSE.

In forming a Committee of the Whole House, a Chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the House by the Chairman. After report, the bill shall again be subject to amendment before a vote on the question is taken.

XXXIV.—RULES IN COMMITTEE OF THE WHOLE.

The Rules of the House shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes shall not be taken.

XXXV.—MOTION TO RISE DECIDED WITHOUT DEBATE.

A motion that the committee rise shall always be in order, and shall be decided without debate.

XXXVI.—REFERENCE OF BILLS.

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

XXXVII.—CALLING MEMBERS TO ORDER WHEN TRANSGRESSING RULES

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain, and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

XXXVIII.—SPEAKER TO DECIDE WHO IS ENTITLED TO THE FLOOR.

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

XXXIX.—ORDER IN SPEAKING TO QUESTIONS.

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted; except the author of a bill or resolution, or mover of a question. No member shall be allowed to speak more than thirty minutes upon any question, except by leave of the House.

XL.—CALLED TO ORDER FOR OFFENSIVE WORDS IN DEBATE.

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

XLI.—PERSONAL EXPLANATION.

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

XLII.—MOTIONS TO BE STATED BY SPEAKER SHALL BE REDUCED TO WRITING, OR MAY BE WITHDRAWN.

No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker or any mem-

ber, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

XLIII.—MOTIONS TO ADJOURN.

A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made.

XLIV.—PRECEDENCE OF MOTIONS DURING DEBATE.

When a question is under debate, or before the House, no motion shall be received but: to adjourn; to lay on the table; for the previous question; to postpone to a certain day; to commit or amend; to postpone indefinitely, which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

XLV.—PREVIOUS QUESTION.

The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

XLVI.—QUESTIONS OF ORDER AFTER PREVIOUS QUESTION IS ORDERED.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate.

XLVII.—PREVIOUS QUESTION DEMANDED.

The previous question shall only be put when demanded by three members.

XLVIII.—QUESTION INDEFINITELY POSTPONED.

When a question is postponed indefinitely the same shall not again be introduced during the session.

XLIX.—DIVISION OF QUESTIONS.

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

L.—SUBSTITUTE.

A substitute shall be deemed and held to be an amendment and be treated in all respects as such.

LI.—SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

LII.—PRINTING OF BILLS.

Five hundred copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity thereof.

LIII.—PRINTING EXTRA NUMBER OF BILLS, ETC.

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

LIV.—PRINTING OF MAPS.

Maps accompanying documents shall not be printed under the general order to print without the special direction of the House.

LV.—FILLING BLANKS.

In filling up blanks the least sum and shortest time shall be first put.

LVI.—PRIORITY OF BUSINESS.

All questions relating to the priority of business shall be decided without debate.

LVII.—READING OF PAPERS.

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

LVIII.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

LIX.—ELECTIONS BY HOUSE.

In all cases of election by the House the vote shall be taken *viva voce*.

LX.—CALLING AYES AND NOES.

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

LXI.—MEMBERS AT CLERK'S DESK.

No member or other person shall remain by the Clerk's table while the ayes and noes are being called or while the votes are being counted.

LXII.—VOTING ON QUESTION WHEN INTERESTED.

No person shall vote on any question in the result of which he is personally interested or involved.

LXIII.—DIVISION AND COUNT OF HOUSE.

Upon a division and count of the House on any question, no person without the bar shall be counted.

LXIV.—EXPLAINING OR CHANGING VOTE.

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

LXV.—CALL OF THE HOUSE.

Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided.

MISCELLANEOUS.

LXVI.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.

4. Amending election laws.

5. Bills recommended by the Code Commission.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House (by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise), such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members

present, except that portion of Rule VI relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

LXVII.—MEMBERS ABSENTING THEMSELVES.

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

LXVIII.—PERSONS ADMITTED TO FLOOR.

No persons, except Senators, State officers, Governors and ex-Governors of States, members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, ladies or gentlemen when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of any or all such persons. The Speaker is charged with the enforcing of this rule.

LXIX.—SMOKING IN HALL.

No smoking shall be allowed within the Assembly Chamber during the session of the House.

LXX.—PARLIAMENTARY RULES.

The rules of parliamentary practice contained in Cushing's Law and Practice of Legislative Assemblies shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

LXXI.—USE OF HALL.

The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

LXXII.—FEES FOR WITNESSES.

Witnesses summoned to appear before the House, or any of its committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

LXXIII.—PROTEST OF MEMBERS.

It shall be in order for any member or members to protest against action of the House, and have such protest entered upon the minutes.

LXXIV.—FEES ALLOWED IN CASES OF CONTEST.

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

Respectfully submitted

DIBBLE, Chairman.
VALENTINE.
JOHNSON.
WRIGHT.
MEAD.

On motion of Mr. Dibble, ordered printed in the Journal, and to lay over one day.

SPECIAL ORDER.

Assembly Bill No. 1—An Act making an appropriation for the support of the State Printing Office, and providing for the execution of printing work outside of the State Printing Office, in cases of emergency, and providing for the payment thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper,

Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kennally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, Works, and Mr. Speaker—72.

NOES—None.

Mr. Johnson moved to amend the title, as follows:

Amend the title by striking out the words "and providing for the execution of printing work outside of the State Printing Office in cases of emergency, and providing for the payment thereof."

Amendment adopted.

SPECIAL ORDER.

JOINT RESOLUTION NO. 1.

Relative to ratification of the treaty of peace between Spain and the United States.

WHEREAS, In the achievements of our fleets at Manila and in the Caribbean Sea, as well as in the victory of our land forces at Santiago and Porto Rico, we recognize the advancement of the human race and in that the advancement of the American people; and

WHEREAS, It is the purpose of the people of the State of California to sustain the President of the United States in his policy of retaining in permanent achievement the full measure of such victories, leading, as they will, to a greater union, a greater strength, a more extended commerce, and to American control in the Pacific, which must be the future pathway to the commercial greatness of the West; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our representatives in Congress are requested to give their unreserved support to the administration of President McKinley, in the full confidence that his policy, the fruits of which are preserved in the treaty of peace, will lead to a greater country, a greater people, and a greater destiny; it is further

Resolved, That our Senators in Congress are hereby instructed to vote for and in every manner support the ratification by the Senate of the treaty of peace between the United States and Spain recently concluded at Paris by the joint commission representing said Powers; and be it further

Resolved, That a copy of these resolutions be immediately transmitted to each of our Representatives and Senators at Washington, by mail, by the Chief Clerk of the Assembly.

Mr. Belshaw moved the adoption of the resolution.

Mr. Mead offered the following substitute:

SUBSTITUTE FOR ASSEMBLY JOINT RESOLUTION NO. 1.

WHEREAS, In the achievements of our fleets at Manila and in the Caribbean Sea, as well as in the victory of our land forces at Santiago and Porto Rico, we recognize the advancement of the human race and in that the advancement of the American people;

Resolved, That our Senators in Congress are hereby instructed to vote for, and in every manner to support, the ratification by the Senate of the treaty of peace between the United States and Spain recently concluded at Paris by the joint commission representing said Powers; and be it further

Resolved, That a copy of these resolutions be immediately transmitted to each of our Representatives and Senators, by mail, by the Chief Clerk of the Assembly

Mr. Caminetti moved that the original resolution of Mr. Belshaw, and the substitute offered by Mr. Mead, be referred to a special committee of three for the purpose of reporting a substitute for the whole. Motion lost.

The question being on the substitute offered by Mr. Mead.

The ayes and noes were demanded by Messrs. Mead, Caminetti, and Boone.

The roll was called, and the substitute lost by the following vote:

AYES—Messrs. Boone, Brooke, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and Wardell—19.

NOES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Dale, De Lencie, Devoto, Dibble, Dunlap, Greenwell, Henry, Huber, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Works, and Mr. Speaker—53.

The question now recurring upon Assembly Joint Resolution No. 1.

The same was adopted.

Mr. Belshaw moved that the resolution be immediately transmitted to the Senate.

So ordered.

At ten o'clock and fifty-five minutes A. M., the Speaker called Mr. Valentine to the chair.

RESOLUTIONS.

By Mr. Dunlap:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted by electricity on the evening of January 9, 1899, and to have the Assembly Chamber and Capitol building placed in readiness for the occasion of the inaugural ball to be held on that evening, and that the sum of three hundred dollars (\$300) be and is hereby appropriated out of the Contingent Fund of the Assembly to pay the expenses thereof.

Adopted.

By Mr. Melick:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to have two copies of each bill, resolution, or other document distributed by Pages upon the floor of the Assembly, supplied to the representative of each newspaper entitled to a seat in the Assembly.

Adopted.

By Mr. Muentner:

WHEREAS, Since the adjournment of the thirty-second session of the Legislature of the State of California, the Honorable Charles W. Austin, a member of said session from the Twenty-sixth Assembly District, did, on the 11th day of February, 1898, answer the call of Death, and did return unto his Maker; therefore, be it

Resolved, That in the death of Charles W. Austin, the people of the State of California have lost a true, tried, and faithful servant; and that we, the members of this the thirty-third session of the Assembly of the Legislature of this State, do sorrowfully deplore the calling hence of so honorable a man, and be it further

Resolved, That when this Assembly does this day adjourn, it do so adjourn out of respect to the memory of said Charles W. Austin.

Adopted.

By Mr. Belshaw:

Resolved, That each member of the Assembly be and is hereby allowed twenty-five (\$25) dollars for contingent expenses as provided by law, payable out of the appropriations for the contingent expenses of the Assembly; and that the aggregate amount of the value of the stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

Adopted.

Also:

Resolved, That one thousand copies of the Governor's Message be printed in pamphlet form.

Adopted.

By Mr. Devoto:

Resolved, That requisitions on the Secretary of State for stationery be limited to \$30 each for the Committees on Ways and Means and Judiciary, and \$10 each for all other standing committees. All requisitions to be signed by the Chairman.

Adopted.

APPOINTMENT OF SPECIAL COMMITTEES.

The Speaker appointed the following special committees:

Committee on Mileage—Messrs. Greenwell (chairman), Robinson, and Burnett.

Committee on Temporary Attachés—Messrs. G. G. Radcliff (chairman), Beecher, and Brooke.

RECESS.

At eleven o'clock and five minutes A. M., on motion of Mr. Dibble, the Assembly adjourned until twelve o'clock and forty-five minutes P. M.

REASSEMBLED.

The Assembly reassembled at twelve o'clock and fifty minutes P. M.
Speaker Wright in the chair.

Quorum present.

At twelve o'clock and fifty-five minutes P. M., the Sergeant-at-Arms announced that the joint inaugural committee of the Senate and the Assembly was at the bar of the House.

The Speaker notified the Sergeant-at-Arms of the Senate, who appeared before the bar of the House, that the Assembly is prepared to receive that honorable body in joint convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
Wednesday, January 4, 1899. }

Pursuant to adjournment on yesterday, the Senate and Assembly of the State of California met in joint convention on this day, Wednesday, January 4, 1899, at one o'clock P. M., for the purposes set forth in the following resolutions adopted in joint convention on yesterday :

Resolved, That the hour of one o'clock P. M. of Wednesday, January 4, 1899, be appointed the time when the Governor and Lieutenant-Governor elect shall take the official oath in the presence of both houses of the Legislature, in joint convention assembled, as required in and by Section 905 of the Political Code; that the Joint Committee on Inauguration already appointed be and are hereby directed to inform the Governor and Lieutenant-Governor elect of this action; and that when this joint convention adjourns, it will adjourn to meet at the hour and date aforesaid.

Hon. William T. Jeter, Lieutenant-Governor and President of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALLS.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boggs, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—40.

Quorum present.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Gosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKee, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—74.

Quorum present.

ORDER OF BUSINESS.

The following was the order of business followed :

1. Call to order by President of the Senate.
2. Roll call of the Senate.
3. Roll call of the Assembly.
4. Chairman of Joint Committee on Inauguration announces the presence of Governor and Governor-elect.
5. Governor and Governor-elect to proceed to Speaker's desk.
7. Administration of oath of office.
8. Music—"Hail to the Chief"
9. Salute.
10. Introduction by Speaker of Assembly of retiring Governor.
11. Address by Governor Gage.
12. Reading of minutes of Joint Convention by Secretary of Senate.
13. Approval of minutes.
14. Adjournment of Joint Convention.

REPORT OF JOINT COMMITTEE.

Senator Cutter, Chairman of the Joint Committee of the Senate and Assembly on Inaugural Ceremonies, appeared at the bar of the House, and announced to the Speaker of the Assembly the presence of His Excellency Governor James H. Budd and Hon. Henry T. Gage, Governor-elect.

PRAYER.

Prayer by the Chaplain of the Senate, Rev. A. J. Sturtevant.

ADMINISTRATION OF OATH OF OFFICE.

The Hon. Frederick W. Henshaw, Justice of the Supreme Court of the State of California, administered the oath of office to Governor-elect Henry T. Gage, as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor according to the best of my ability. So help me God.

PRESENTATION OF RETIRING GOVERNOR.

Retiring Governor James H. Budd introduced to the joint convention His Excellency Henry T. Gage, now Governor of the State of California, who thereupon addressed the convention.

ANNOUNCEMENT.

It was announced that on account of illness the Hon. Jacob H. Neff, Lieutenant-Governor-elect, was prevented from appearing before the joint convention for the purpose of taking the oath of office, the same

having been previously administered to, and taken by him, at the bar of the Senate, by the Hon. A. J. Buckles, of Solano County, Superior Judge, as follows :

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant-Governor according to the best of my ability. So help me God.

Minutes of the joint convention were read and approved.

ADJOURNMENT.

At one o'clock and fifty minutes P. M., the joint convention was, on motion of Mr. Valentine, adjourned without day.

IN ASSEMBLY.

At two o'clock P. M., the Assembly reconvened.
Speaker Wright in the chair.

REPORT OF SPECIAL COMMITTEE.

SACRAMENTO, January 4, 1899.

MR. SPEAKER: Your special committee appointed to report on the sums due the officers and employes of the Assembly during the temporary organization of this House, beg leave to report the following resolution, and recommend its adoption, viz :

Resolved, That the Controller be and is hereby authorized, and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is directed to pay the same, in favor of the following persons, and for the amounts hereinafter given, viz :

S. J. Duckworth, Chief Clerk, mileage and per diem	\$51 20
W. O. Banks, Sergeant-at-Arms, mileage and per diem	22 80
R. Q. Wickham, Minute Clerk, mileage and per diem	102 20
W. T. Hamilton, Postmaster, per diem	8 00
Daniel McPartland, Gatekeeper, per diem	6 00
W. S. Raynor, Gatekeeper, per diem	6 00
J. Hocking, Gatekeeper, per diem	6 00
A. A. Friedlander, Page, per diem	2 50
W. W. Benchley, Page, per diem	2 50
G. W. M. Condon, Page, per diem	2 50
W. H. Dable, Assistant Sergeant-at-Arms	5 00

Respectfully submitted.

RADCLIFF,
BEECHER,
BROOKE,

Committee on Temporary Attachés.

Report adopted.

APPOINTMENTS.

The Speaker announced the following appointments under a resolution of yesterday:

Porters—John Costre, J. A. Jackson, George Ashley.
Watchman—E. M. Brock
Rear Porter—W. S. Raynor.
Day Watchman—Eugene Warren.
Elevator Attendant—R. Wolf.
Watchman—J. Pinkard.
Fireman—J. J. Connell.
Janitress—Mrs. James Stokes.
Engineer—C. Wright.

ADJOURNMENT.

At two o'clock and seven minutes P. M., the Assembly adjourned, on motion of Mr. Dibble, until ten o'clock A. M. to-morrow.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 5, 1899. }

The Assembly met at ten o'clock and twenty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

The roll was called, and the following answered to their names :

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barce, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Caminetti was granted leave of absence for three days, on motion of Mr. Mead.

READING OF JOURNAL.

On motion of Mr. Belshaw, the reading of the Journal was passed.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, SACRAMENTO, CAL., January 5, 1899.

To the Assembly of the State of California.

I have the honor to inform you that I have appointed William I. Foley, of Los Angeles, California, my Private Secretary, through whom all communications from this office will be transmitted to your honorable body.

HENRY T. GAGE,
Governor of the State of California.

RESOLUTION.

By Mr. Pierce:

ASSEMBLY CONCURRENT RESOLUTION NO 4.

Relative to the improvement of the Sacramento River, in accordance with the plans submitted by the Sacramento River Commission

WHEREAS, The Sacramento River Commission, composed of Federal engineers appointed by the President of the United States, have, in accordance with the duty devolved upon them, reported to the Congress of the United States a plan for the improvement of the Sacramento River, which plan is now under consideration by the Committee on Rivers and Harbors of the House of Representatives; and

WHEREAS, The State of California has appropriated the sum of three hundred thousand dollar, to be expended in the improvement and rectification of the navigable waterways of this State, and has thus shown its willingness to assist in the work so imperatively demanded by the needs of commerce, and which cannot with safety be longer delayed, and which of right ought to be undertaken and carried forward to completion by the general government; and

WHEREAS, The conditions of said river are such that immediate action is necessary to preserve it as a navigable stream for the purposes of commerce;

Resolved by the Senate and Assembly of the State of California, jointly, That our Senators in Congress be instructed, and our Representatives be requested, to use all honorable means at their disposal to secure the execution of the plans reported by the said Sacramento River Commission, and to secure the appropriation recommended by said commission for the purpose of carrying said plans into effect, and that we do further respectfully request the said Committee on Rivers and Harbors of the House

of Representatives to make the appropriation recommended by said Sacramento River Commission, conformably to their report on file with the Chief Engineer of the United States Corps of Engineers at Washington.

Resolved, That the Governor be and he is hereby requested to cause a certified copy of this resolution to be mailed to each of our Senators and Representatives in Congress, and send a copy thereof by telegram, immediately after the passage of said resolution, to Hon. T. E. Burton, Chairman of the Committee on Rivers and Harbors of the House of Representatives at Washington, D. C.

Adopted.

By Mr. Caminetti.

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Relative to the Nicaragua Canal.

WHEREAS, There is now pending in the Congress of the United States a proposition to secure the construction of the Nicaragua Canal;

WHEREAS, The State of California will be materially benefited by the construction thereof; therefore, be it

Resolved by the Assembly, the Senate concurring, That we respectfully and urgently request Congress to provide for the construction of said canal by the Government of the United States, to be owned and operated by it, thus securing to our country the great benefit of a short and cheap waterway between the Atlantic and Pacific oceans, open to all our people on equal terms, without discrimination;

Resolved, That the Governor of the State of California is respectfully requested to transmit a copy of these resolutions to the President of the United States, the Senate, the House of Representatives, and to the California delegation in Congress.

Referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

Mr. Clark was granted leave of absence for three days, at his own request.

MOTION.

Mr. Dibble moved that the report of the Committee on Rules be now considered.

So ordered.

CONSIDERATION OF REPORT OF COMMITTEE ON RULES.

Mr. Dibble moved to amend by inserting as Rule XII, after Rule XI, on page 2 of printed Journal of January 4th, the following:

XII.—REFERRING WITH SPECIAL INSTRUCTIONS.

A bill or resolution may be committed, with special instructions, at any time after the third reading has been ordered.

Amendment adopted.

Mr. Dibble moved to amend by adding the following to Rule XLV on page 6 of said Journal:

Provided, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question and five minutes to those opposed thereto.

Amendment adopted.

By Mr. Dibble:

Amend by inserting the word "and" after the word "engrossing," in line 1 of said Rule XVI, on page 3 of said Journal.

Amendment adopted.

By Mr. Cowan:

Amend Section XXVI of Rules in Subdivision 10 by striking out the word "seven" and inserting instead thereof the word "nine."

Amendment adopted.

By Mr. Cobb:

Amend by adding a new subdivision to Rule XXVI to read as follows: "Subdivision 39—The San Francisco Delegation, consisting of eighteen members"

Amendment lost.

By Mr. Melick:

Amend Rule XXVI in line 31 by striking out the word "retrenchment"; also, in Rule XXX, strike out the word "retrenchment" in line 1 and insert the word "commissions"; also, make the title to Rule XXX read: "Commissions and Public Expenditures."

Amendment adopted.

By Mr. Mead:

Amend subdivision 18 of Rule XXVI by striking out the word "twenty-one" and inserting the word "nineteen."

Amendment adopted.

Mr. Dibble moved that the rules be adopted as amended.

So ordered.

Mr. Dibble moved that the rules, as amended, be printed in tomorrow's Journal.

So ordered.

STANDING RULES OF ASSEMBLY.

I.—HOUR OF MEETING.

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until February 1, 1899, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to two o'clock P. M., unless otherwise ordered by a vote of the House.

II.—ORDER OF BUSINESS.

1. Roll Call.
2. Prayer by the Chaplain
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the preceding day.
13. Business on Special File
14. Business on the General File and Third Reading of Bills.

III.—REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

It shall be in order for the Committee on Enrolled and Engrossed Bills to report at any time.

IV.—MESSAGES FROM THE GOVERNOR AND SENATE.

Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

V.—PETITIONS TO BE PRESENTED, WITH A BRIEF STATEMENT OF CONTENTS.

Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

VI.—INTRODUCTION AND READING OF BILLS.

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote.

All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

VII.—INTRODUCTION OF BILLS BY COMMITTEES.

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

VIII.—DISPOSITION OF SENATE BILLS.

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

IX.—JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

Joint resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee, and *provided further*, that the yeas and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

X.—PROCEEDINGS TOUCHING APPROPRIATIONS OF MONEY TO BE CONSIDERED IN COMMITTEE OF THE WHOLE.

All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

XI.—REFERENCE OF BILLS.

No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

XII.—REFERRING WITH SPECIAL INSTRUCTIONS.

A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

XIII.—ORDER OF MAKING FILE.

Upon the introduction of bills they shall be read the first time and referred to committees, as provided in Rule VI. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the Second-Reading File, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Third-Reading File, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third-Reading File and Second-Reading File, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

XIV.—ORDER MAKING SPECIAL FILE.

The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws, and constitutional amendments, in the order named and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

XV.—TAKING UP BILLS OUT OF ORDER.

When a member shall ask leave to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of the bill and its position on the file.

XVI.—ENGROSSING AND ENROLLING BILLS.

The Engrossing and Enrolling Clerk shall engross, and enroll, the bills which shall come to his hands for such purposes, in compliance with the provision of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services preformed by him in regard to the bills or preparation of bills before this House.

XVII.—BILLS TO BE REPORTED BACK WITHIN TEN DAYS.

All bills referred to any committee shall be by such committee reported back to the House, with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

DUTIES OF SPEAKER.

XVIII.—TO CALL HOUSE TO ORDER.

The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a chairman shall be elected from among the members to preside.

XIX.—TO PRESERVE ORDER; TO DECIDE POINTS OF ORDER; AND MAY SPEAK TO SAME.

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

XX.—TO HAVE DIRECTION OF THE HALL; MAY CALL ANY MEMBER TO THE CHAIR.

He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

XXI.—TO SIGN RESOLUTIONS, ETC., ATTESTED BY THE CLERK.

All Acts, addresses, and joint resolutions, shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

XXII.—MAY ORDER THE GALLERIES AND LOBBY CLEARED

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS

XXIII.—TO ATTEND SITTINGS OF HOUSE; SERVE PROCESSES.

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker of the House, and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk and the committee attachés), and shall be responsible for the performance of their duties, and shall report to the Speaker any dereliction of duty on the part of any attaché. The Speaker shall have the power to remove any attaché for incompetency or for wilful neglect of duty.

XXIV.—FEES OF SERGEANT-AT-ARMS.

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar, and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile; but no compensation shall be allowed for the arrest, custody, or releasement of members under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrest, custody, and release of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

XXV.—ASSISTANT SERGEANT-AT-ARMS TO BE DOORKEEPER.

The Assistant Sergeant-at-Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

XXVI.—STANDING COMMITTEES.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Attachés and Employés, to consist of five members.
3. A Committee on Banks and Banking, to consist of five members.
4. A Committee on Claims, to consist of seven members.
5. A Committee on Commerce and Navigation, to consist of nine members.
6. A Committee on Corporations, to consist of nine members.
7. A Committee on Counties and County Boundaries, to consist of five members.
8. A Committee on County and Township Governments, to consist of thirteen members.
9. A Committee on Contested Elections, to consist of seven members.
10. A Committee on Dairies and Dairy Products, to consist of nine members.
11. A Committee on Election Laws, to consist of seven members.
12. A Committee on Education, to consist of seven members.
13. A Committee on Engrossment and Enrollment, to consist of seven members.
14. A Committee on Fruit and Vine Interests, to consist of seven members.
15. A Committee on Fish and Game, to consist of seven members.
16. A Committee on Federal Relations, to consist of five members.
17. A Committee on Irrigation, to consist of nine members.
18. A Committee on Judiciary, to consist of nineteen members.
19. A Committee on Labor and Capital, to consist of seven members.
20. A Committee on Manufactures and Internal Improvements, to consist of seven members.
21. A Committee on Mileage, to consist of five members.
22. A Committee on Military Affairs, to consist of seven members.
23. A Committee on Mines and Mining Interests, to consist of nine members.
24. A Committee on Municipal Corporations, to consist of seven members.
25. A Committee on Public Health and Quarantine, to consist of seven members.
26. A Committee on Public Buildings and Grounds, to consist of eleven members.
27. A Committee on Public Lands and Forestry, to consist of five members.
28. A Committee on Public Morals, to consist of nine members.
29. A Committee on Public Printing, to consist of seven members.
30. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
31. A Committee on Commissions and Public Expenditures, to consist of seven members.
32. A Committee on Roads and Highways, to consist of eleven members.
33. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
34. A Committee on State Hospitals and Asylums, to consist of nine members.
35. A Committee on State Library, to consist of five members.
36. A Committee on State Prisons and Reformatory Institutions, to consist of seven members.
37. A Committee on Swamp and Overflowed Lands and River Improvements, to consist of nine members.
38. A Committee on Ways and Means, to consist of eleven members.

XXVII.—COMMITTEES TO BE APPOINTED BY SPEAKER.

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

DUTIES OF COMMITTEES.

XXVIII.—ON CONTESTED ELECTIONS.

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question and be referred to them by the House.

XXIX.—ON WAYS AND MEANS.

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House; to inquire into the state of the public debt or the revenue, and of the expenditure, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider them and report thereon in consideration of the proper amount of expenditure to be named by the Legislature. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

XXX.—COMMISSIONS AND PUBLIC EXPENDITURES.

It shall be the duty of the Committee on Commissions and Public Expenditures to

ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

XXXI.—ON ENGROSSMENT.

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

XXXII.—COMMITTEE EXPENDITURES.

No committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

XXXIII.—COMMITTEE OF THE WHOLE HOUSE.

In forming a Committee of the Whole House, a chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the House by the chairman. After report, the bill shall again be subject to amendment before a vote on the question is taken.

XXXIV.—RULES IN COMMITTEE OF THE WHOLE.

The Rules of the House shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes shall not be taken.

XXXV.—MOTION TO RISE DECIDED WITHOUT DEBATE.

A motion that the committee rise shall always be in order, and shall be decided without debate.

XXXVI.—REFERENCE OF BILLS.

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

- The Committee of the Whole House.
- A Standing Committee.
- A Select Committee.

XXXVII.—CALLING MEMBERS TO ORDER WHEN TRANSGRESSING RULES

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

XXXVIII.—SPEAKER TO DECIDE WHO IS ENTITLED TO THE FLOOR.

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

XXXIX.—ORDER IN SPEAKING TO QUESTIONS.

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question. No member shall be allowed to speak more than thirty minutes upon any question, except by leave of the House.

XL.—CALLED TO ORDER FOR OFFENSIVE WORDS IN DEBATE.

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

XLI.—PERSONAL EXPLANATION.

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

XLII.—MOTIONS TO BE STATED BY SPEAKER SHALL BE REDUCED TO WRITING, OR MAY BE WITHDRAWN.

No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

XLIII.—MOTIONS TO ADJOURN.

A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made.

XLIV.—PRECEDENCE OF MOTIONS DURING DEBATE.

When a question is under debate, or before the House, no motion shall be received but: to adjourn, to lay on the table; for the previous question, to postpone to a certain day; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

XLV.—PREVIOUS QUESTION.

The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

XLVI.—QUESTIONS OF ORDER AFTER PREVIOUS QUESTION IS ORDERED.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

XLVII.—PREVIOUS QUESTION DEMANDED.

The previous question shall only be put when demanded by three members.

XLVIII.—QUESTION INDEFINITELY POSTPONED.

When a question is postponed indefinitely the same shall not again be introduced during the session.

XLIX.—DIVISION OF QUESTIONS.

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

L.—SUBSTITUTE.

A substitute shall be deemed and held to be an amendment and be treated in all respects as such.

LI.—SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

LII.—PRINTING OF BILLS.

Five hundred copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity thereof.

LIII.—PRINTING EXTRA NUMBER OF BILLS, ETC.

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

LIV.—PRINTING OF MAPS.

Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

LV.—FILLING BLANKS.

In filling up blanks the least sum and shortest time shall be first put.

LVI.—PRIORITY OF BUSINESS.

All questions relating to the priority of business shall be decided without debate.

LVII.—READING OF PAPERS

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

LVIII.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

LIX.—ELECTIONS BY HOUSE.

In all cases of election by the House the vote shall be taken *viva voce*.

LX.—CALLING AYES AND NOES.

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused), declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

LXI.—MEMBERS AT CLERK'S DESK.

No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

LXII.—VOTING ON QUESTION WHEN INTERESTED.

No person shall vote on any question in the result of which he is personally interested or involved.

LXIII.—DIVISION AND COUNT OF HOUSE.

Upon a division and count of the House on any question, no person without the bar shall be counted.

LXIV.—EXPLAINING OR CHANGING VOTE.

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

LXV.—CALL OF THE HOUSE.

Upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided.

LXVI.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given, of the motion therefor; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Amending election laws.
5. Bills recommended by the Code Commission.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule VI relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations

LXVII.—MEMBERS ABSENTING THEMSELVES.

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

LXVIII.—PERSONS ADMITTED TO FLOOR.

No persons, except Senators, State officers, Governors and ex-Governors of States, members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, ladies or gentlemen when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of any or all such persons. The Speaker is charged with the enforcing of this rule.

LXIX.—SMOKING IN HALL.

No smoking shall be allowed within the Assembly Chamber during the session of the House.

LXX.—PARLIAMENTARY RULES.

The rules of parliamentary practice contained in Cushing's Law and Practice of Legislative Assemblies shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

LXXI.—USE OF HALL.

The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

LXXII.—FEES FOR WITNESSES.

Witnesses summoned to appear before the House, or any of its committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars, for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

LXXIII.—PROTEST OF MEMBERS.

It shall be in order for any member or members to protest against action of the House, and have such protest entered upon the minutes.

LXXIV.—FEES ALLOWED IN CASES OF CONTEST.

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

Respectfully submitted.

DIBBLE, Chairman
VALENTINE.
JOHNSON.
WRIGHT.
MEAD.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

By Mr. Johnson: Assembly Constitutional Amendment No. 1—A resolution to propose an amendment to Article VI of the Constitution of the State of California, relating to the Judiciary Department.

Referred to Committee on Judiciary.

RESOLUTION.

By Mr. Arnerich:

Resolved, That the Sergeant-at-Arms of the Assembly, or the Bookkeeper to the

Sergeant-at-Arms, be and they are hereby authorized to receipt to the Controller for all warrants for payments to members, officers, and attachés of the Assembly

Adopted.

MOTION.

Mr. Dibble moved that the Standing Rules be reprinted in to-day's Journal as amended and adopted to-day.

Adopted.

RESOLUTIONS.

By Mr. Rickard:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to hire a box at the Sacramento postoffice for the use of the Assembly, the rent for which shall be payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

By Mr. Anderson:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to procure for each member of the Assembly, the Chief Clerk, Journal Clerk, and Minute Clerk, three "Key-stone Patent Binders," and that the bills therefor be referred to the Ways and Means Committee, and thereafter paid out of the Contingent Fund of the Assembly.

Adopted.

At ten o'clock and forty-five minutes A. M., Speaker pro tem. Anderson took the chair.

By Mr. Valentine:

Resolved, That the Secretary of State be and he is hereby instructed to purchase for the use of the Assembly eighty-five (85) copies of Henning's Constitution of California (second edition), and deliver the said copies to the Chief Clerk of the Assembly, the same to be paid for out of the Contingent Fund of the Assembly.

Adopted.

ADJOURNMENT.

At eleven o'clock and twenty minutes A. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, January 6, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 6, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Ilcey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw,

Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. McDonald of Tuolumne was granted leave of absence until Monday, on motion of Mr. Cosper.

Messrs. Bliss and Kelley were granted leave of absence until Monday, on motion of Mr. Knowland.

Mr. Huber was granted leave of absence, on motion of Mr. Valentine.

Mr. Radcliff was granted leave of absence until Monday, on motion of Mr. Cargill.

CORRECTION AND APPROVAL OF JOURNAL.

Mr. Belshaw moved to correct the Journal of January 2, 1899, by striking out all after and including the words "The Chief Clerk said" and up to and including the words "respective positions," on page 1, and insert in lieu thereof the following:

In the absence of a Chaplain, the Chief Clerk requested the members and officers of the Assembly, each in his own way, to address the Throne of Grace in humble supplication for the wisdom required to properly and acceptably discharge the duties of their respective positions.

Mr. Dibble moved to amend the amendment by using the word "expunge" instead of "striking out."

Amendment accepted by the mover.

So ordered.

The Journals of Monday, Tuesday, and Wednesday were read, corrected, and approved.

SENATE MESSAGES.

Mr. Dibble moved that the Assembly do now take up and consider Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, January 5, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1—An Act making an appropriation for the support of the State Printing Office.

Also: Assembly Concurrent Resolution No. 3—As amended and adopted, relative to inaugural ball and banquet.

F. J. BRANDON, Secretary of the Senate.
By FRED L. THOMAS, Assistant Secretary.

CONCURRENCE IN SENATE AMENDMENT.

Mr. Johnson moved that the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 3, relative to the inaugural ball:

Amend by adding: "This permit is granted only upon condition that no wine, beer, or alcoholic beverage of any description, shall be allowed at the banquet incident to said ball, or in any part of the Capitol premises leave to use which for said ball is given."

Amendment adopted, and the action of the Senate concurred in.

REPORT OF COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1899.

MR. SPEAKER: Your committee appointed to ascertain and report the amount due as mileage for the members of the Assembly, would respectfully report on the same and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named members of the Assembly for the amount set opposite each of their names, and the State Treasurer is hereby ordered and directed to pay the same:

Dist	Name.	Residence.	Miles.	Am t
1—	Jilson, C. B.	Hornbrooke	558	\$55 80
2—	Marvin, G. D.	Blue Lake	680	68 00
3—	Boynton, C. H.	Ferndale	646	64 60
4—	La Barce, W. H.	Weaverville	392	39 20
5—	Beecher, J. H.	Anderson	266	26 60
6—	Clough, G. G.	Quincy	250	25 00
7—	De Lencie, R.	Oroville	120	12 00
8—	Raub, C. G.	Meridian	104	10 40
9—	Sanford, J. B.	Ukiah	406	40 60
10—	Glenn, F. B.	Jacinto	222	22 20
11—	Pierce, G. W.	Davisville	26	2 60
12—	Robinson, W. S.	Grass Valley	142	14 20
13—	Lardner, W. B.	Auburn	72	7 20
14—	Raw, R. S.	Placerville	120	12 00
15—	Cammetti, A.	Jackson	134	13 40
16—	Le Baron, H. M.	Valley Ford	302	30 20
17—	Cowan, W. F.	Santa Rosa	214	21 40
18—	Wade, O.	Napa	192	19 20
19—	Anderson, A.	Suisun	30	8 00
20—	Johnson, G. L.	Sacramento	2	20
21—	Knights, W. D.	Sacramento	2	20
22—	Brooke, M.	Oak Park	10	1 00
23—	Atherton, J. W.	Novato	232	23 20
24—	Belshaw, C. M.	Antioch	192	19 20
25—	Dunlap, F. E.	Stockton	96	9 60
26—	Muenter, A. E.	Lathrop	114	11 40
27—	Blood, H. S.	Angels	200	20 00
28—	Hoeey, L.	San Francisco	180	18 00
29—	Kenneally, C. F.	San Francisco	180	18 00
30—	Devoto, L. A.	San Francisco	180	18 00
31—	O'Brien, D. S.	San Francisco	180	18 00
32—	Hanley, J. M.	San Francisco	180	18 00
33—	Sullivan, E. D.	San Francisco	180	18 00
34—	Crowly, J. J.	San Francisco	180	18 00
35—	Cobb, W. H.	San Francisco	180	18 00
36—	Merrill, A. H.	San Francisco	180	18 00
37—	White, W. E.	San Francisco	180	18 00
38—	Rickard, W. H.	San Francisco	180	18 00
39—	Wardell, J. S.	San Francisco	180	18 00
40—	Miller, H. W.	San Francisco	180	18 00
41—	Dibble, H. C.	San Francisco	180	18 00
42—	Henry, L. A.	San Francisco	180	18 00
43—	Lundquist, F.	San Francisco	180	18 00
44—	Barry, M. H.	San Francisco	180	18 00
45—	Sullivan, Eugene	San Francisco	180	18 00
46—	McDonald, W.	Livermore	184	18 40
47—	Knowland, J. R.	Alameda	180	18 00
48—	Kelley, J. M.	Oakland	168	16 80
49—	McKeen, A. A.	Oakland	168	16 80
50—	Bliss, J. A.	Oakland	168	16 80
51—	Wright, H. E.	Berkeley	180	18 00
52—	Brown, H. W.	Colma	198	19 80
53—	Radcliff, G. G.	Watsonville	332	33 20
54—	Clark, W.	Mountain View	258	25 80
55—	Kelsey, J. D.	San Jose	254	25 40
56—	Arnerich, M. L.	Frohm	274	27 40
57—	Stewart, J. R.	Crows Landing	196	19 60
58—	McDonald, A. M.	Sonora	290	29 00
59—	Cargill, C. G.	San Juan	366	36 60
60—	Mack, P. H.	Independence	934	93 40
61—	Feliz, F. R.	Monterey	430	43 00
62—	Griffin, J. M.	Madera	296	29 60
63—	Fairweather, John	Reedley	388	38 80

Dist.	Name.	Residence.	Miles	Am't.
64—	Cosper, E. T.	Tulare	428	\$42 80
55—	Boone, W. P.	Dinuba	400	40 00
66—	Dale, R. C.	Bakersfield	554	55 40
67—	Burnett, J. K.	Paso Robles	612	61 20
68—	Merritt, C. W.	Santa Barbara	990	99 00
69—	Greenwell, C. B.	Hueneme	966	96 60
70—	Melick, W. S.	Pasadena	908	90 80
71—	Huber, O. H.	Pomona	960	96 00
72—	Miller, J. M.	Clearwater	910	91 00
73—	Mead, W.	Los Angeles	890	89 00
74—	Valentine, L. H.	Los Angeles	890	89 00
75—	Conrey, N. P.	Los Angeles	890	89 00
76—	Chynoweth, H. W.	Anaheim	940	94 00
77—	Milice, A. S.	Riverside	1,020	102 00
78—	Meserve, F. P.	Redlands	1,032	103 20
79—	Works, L. R.	San Diego	1,142	114 20
80—	Crowder, A. S.	La Mesa	1,152	115 20

GREENWELL, Chairman.

AMENDMENTS TO REPORT.

Mr. Johnson moved to amend the report by striking out the words "twenty cents" allowed G. L. Johnson for mileage.

So ordered.

Mr. Knights moved to amend the report by striking out the words "twenty cents" allowed W. D. Knights for mileage.

So ordered.

Mr. Greenwell moved that the report be printed in the Journal and laid over until to-morrow.

Motion lost.

Mr. Mack moved to amend the report by striking out the figures "934" and "\$93 40" from the amount and miles accredited to P. H. Mack, and insert in lieu thereof the figures "1140" and the amount allowed "\$114."

So ordered.

Report of Committee on Mileage, as amended, adopted.

MOTION.

Mr. Dibble moved that Senate Joint Resolution No. 2, substitute for Assembly Joint Resolution No. 1, be referred back to the Senate for correction.

So ordered.

RESOLUTIONS.

By Mr. Henry:

Resolved, That the Sergeant-at-Arms be and is hereby directed to purchase eighty-five copies of the latest pocket edition of the Codes of the State of California, and the supplement thereto, for the use of the Assembly. And the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in payment for same. And the State Treasurer is hereby authorized to pay said warrant.

Adopted.

By Mr. Valentine :

Resolved, That the State Controller be and he is hereby instructed to draw his warrant on the State Treasurer for the sum of two hundred and fifty-five (255) dollars, and the State Treasurer is hereby directed to pay said warrant out of the Contingent Fund of the Assembly, the same being in payment for copies of Henning's Constitutions of California, second edition, ordered by resolution of January 5, 1899.

Adopted.

By Mr. Melick:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to investigate into the disposition of the furniture and desks purchased for the use of the Thirty-second session of the Assembly. If the same can be located, or found, that he take charge thereof for the use of the Assembly of this session.

Adopted.

LEAVE OF ABSENCE.

Mr. Wardell and Mr. O'Brien were granted leave of absence until Monday.

ADJOURNMENT.

At ten o'clock and forty minutes A. M., the House adjourned, on motion of Mr. Dibble.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 7, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Anderson in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Blood, Boone, Boynton, Brown, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffen, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Rickard, Sanford, Eugene Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—61.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Messrs. Belshaw, Bliss, Brooke, Chynoweth, Clark, Glenn, Kelley, Muentner, O'Brien, Robinson, Stewart, Sullivan, Wardell, and Works were granted leave of absence until Tuesday.

MOTIONS.

Mr. Dibble moved that the reading of the Journal be dispensed with.
So ordered.

Mr. Dibble moved to take up Senate messages.
So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 6, 1899.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day amended Assembly Joint Resolution No. 1 by substituting therefor Senate Joint Resolution No. 2, and respectfully request your concurrence therein—said resolution being relative to the treaty of peace between Spain and the United States.

Also: Ordered that the communication of Senator Perkins of date December 19, 1898, be transmitted with the above resolution, and respectfully ask your concurrence therein.

F. J. BRANDON, Secretary of the Senate.
By FRED L. THOMAS, Assistant Secretary.

Mr. Dibble moved that the Assembly concur in the following substitute for Assembly Joint Resolution No. 1:

SENATE JOINT RESOLUTION No. 2.

(Substitute for Assembly Joint Resolution No. 1 and Senate Joint Resolution No. 1.)

Relative to ratification of the treaty of peace between Spain and the United States.

Resolved by the Senate and Assembly jointly, That our Senators in Congress are hereby instructed to vote for, and in every manner support, the ratification by the Senate of the treaty of peace between the United States and Spain, recently concluded at Paris by the joint commission representing said powers, and to vote against any amendment to the same;

Resolved, That a copy of these resolutions be immediately transmitted to each of our Senators at Washington, by telegraph, by the Secretary of the Senate.

Amendment concurred in.

Communication of United States Senator Perkins ordered filed.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, January 5, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended and passed the following: Assembly Concurrent Resolution No. 4—Relative to Sacramento River improvement—and respectfully ask your concurrence therein.

F. J. BRANDON, Secretary of the Senate.
By FRED L. THOMAS, Assistant Secretary.

Mr. Johnson moved that the Assembly concur in the following Senate amendments:

Amend the name of the resolution so as to read "Assembly Joint Resolution No. 4"

Also: Amend line 5, page 2, by inserting "Secretary of Senate" in lieu of "Governor," and insert "directed" in lieu of "requested."

Amendments concurred in.

RESOLUTION.

By Mr. Wade:

Resolved, That the decorating committee on the part of the Assembly for the inaugural ball be and is hereby instructed to leave the curtain decorations of the windows of the Assembly Chamber in place during the remainder of the session, or until further orders of the Assembly.

Resolution read and adopted.

ADJOURNMENT.

At ten o'clock and ten minutes A. M., Mr. Dibble moved that the House adjourn until Tuesday morning, January 10, 1899.

So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Tuesday, January 10, 1899. }

The Assembly met at eleven o'clock A. M., pursuant to adjournment.
Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cospér, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentér, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence for one day, on motion of Mr. McKeen.

APPROVAL OF JOURNALS.

The Journals of Thursday, January 5th, Friday, January 6th, and Saturday, January 7th, were read and approved.

At eleven o'clock and twelve minutes A. M., the Speaker called Mr. Valentine to the chair.

STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees:

Committee on Agriculture—Messrs. Boynton (Chairman), Le Baron, Stewart, McDonald of Alameda, Cowan, De Lancie, Dale.

Committee on Attachés and Employés—Messrs. Lundquist (Chairman), Marvin, Clough, Rickard, Meserve.

Committee on Banks and Banking—Messrs. Jilson (Chairman), Conrey, Crowder, Cargill, E. D. Sullivan.

Committee on Claims—Messrs. McDonald of Alameda (Chairman), Crowder, Robinson, Barry, Merrill, Cowan, Burnett.

Committee on Commerce and Navigation—Messrs. Knowland (Chairman), Clark, Dunlap, Devoto, Merritt, Miller of Los Angeles, Hanley, E. D. Sullivan, Glenn.

Committee on Corporations—Messrs. Anderson (Chairman), Raub, Cospér, Greenwell, La Barea, Robinson, Mead, Mack, Cowan.

Committee on Counties and County Boundaries—Messrs. Arnerich (Chairman), Milice, De Lancie, Raw, Burnett.

Committee on County and Township Government—Messrs. Huber (Chairman), Melick, Miller of Los Angeles, Kelley, Blood, Rickard, Wade, Johnson, Kenneally, Caminetti, Meserve, White, Sanford.

Committee on Contested Elections—Messrs. Cospér (Chairman), Henry, Wade, Dale, Pierce, Crowley, Cowan.

Committee on Dairies and Dairy Products—Messrs. Le Baron (Chairman), Brown, Atherton, Boynton, Anderson, Boone, Sanford.

Committee on Election Laws—Messrs. Belshaw (Chairman), Miller of Los Angeles, Rickard, Melick, Marvin, White, Mead.

Committee on Education—Messrs. De Lancie (Chairman), Conrey, McDonald of Alameda, Pierce, Cospér, Caminetti, Feliz.

Committee on Engrossment and Enrollment—Messrs. Rickard (Chairman), Arnerich, Bliss, Milice, Devoto, Stewart, Brooke.

Committee on Fruit and Vine Interests—Messrs. Beecher (Chairman), Radcliff, Clark, Melick, Raub, Brooke, Griffin.

Committee on Fish and Game—Messrs. Eugene Sullivan (Chairman), Boynton, Anderson, Belshaw, Greenwell, Hanley, Feliz.

Committee on Federal Relations—Messrs. Dale (Chairman), Johnson, Brown, Cargill, O'Brien.

Committee on Irrigation—Messrs. Milice (Chairman), Miller of Los Angeles, Crowder, Merritt, Lundquist, Radcliff, Griffin, Fairweather, Stewart.

Committee on Judiciary—Messrs. Johnson (Chairman), Clough, Dibble, Lardner, Dunlap, Cobb, Brown, Cosper, Valentine, Conrey, Chynoweth, Works, Muentner, Caminetti, Hanley, E. D. Sullivan, White, Boone, Mack, Cowan.

Committee on Labor and Capital—Messrs. Muentner (Chairman), Kenneally, Works, Wade, Henry, Hoey, Sanford.

Committee on Manufactures and Internal Improvements—Messrs. Kelsey (Chairman), Bliss, McDonald of Tuolumne, McKeen, Merrill, Hoey, O'Brien.

Committee on Mileage—Messrs. Greenwell (Chairman), Robinson, McKeen, Huber, Burnett.

Committee on Military Affairs—Messrs. Henry (Chairman), Barry, Blood, Chynoweth, Lundquist, Crowley, Boone.

Committee on Mines and Mining—Messrs. Robinson (Chairman), Raw, Jilson, Lardner, Blood, Clough, McDonald of Tuolumne, Mack, Meserve.

Committee on Municipal Corporations—Messrs. Raw (Chairman), Dibble, Merrill, Barry, Bliss, Mead, Meserve.

Committee on Public Health and Quarantine—Messrs. Cargill (Chairman), La Barea, Jilson, Anderson, Merrill, O'Brien, Brooke.

Committee on Public Buildings and Grounds—Messrs. Crowder (Chairman), Kelsey, McKeen, De Lancie, Milice, Pierce, Knowland, Barry, Hanley, Boone, Crowley.

Committee on Public Lands and Forestry—Messrs. Kenneally (Chairman), Knights, La Barea, Lundquist, Wardell.

Committee on Public Morals—Messrs. Miller of San Francisco (Chairman), Marvin, Atherton, Arnerich, Anderson, Crowley, Stewart.

Committee on Public Printing—Messrs. Kelley (Chairman), Beecher, Raw, Johnson, Cobb, Griffin, Mead.

Committee on Public Works, State Capitol, and Parks—Messrs. Chynoweth (Chairman), Raub, Lardner, Knights, Knowland, Fairweather, White.

Committee on Commissions and Public Expenditures—Messrs. Conrey (Chairman), Dunlap, Chynoweth, Clark, Devoto, Burnett, Hoey.

Committee on Roads and Highways—Messrs. Melick (Chairman), Brown, Knowland, Merritt, Miller of San Francisco, McDonald of Tuolumne, Atherton, La Barea, Caminetti, Fairweather, Mack.

Committee on Rules and Regulations—Messrs. Dibble (Chairman), Valentine, Johnson, Mr. Speaker, Mead.

Committee on State Hospitals and Asylums—Messrs. Wade (Chairman), Marvin, Cargill, Lundquist, Dunlap, Merritt, Clark, Meserve, Crowley.

Committee on State Library—Messrs. Brown (Chairman), Clough, Cobb, Dale, Feliz.

Committee on State Prisons and Reformatory Institutions—Messrs. Atherton (Chairman), Bliss, Henry, Beecher, Eugene Sullivan, Glenn, Fairweather.

Committee on Swamp and Overflowed Lands—Messrs. Dunlap (Chairman), Raub, Pierce, Knights, Beecher, Muentner, Milice, Brooke, Stewart.

Committee on Ways and Means—Messrs. Valentine (Chairman), Belshaw, Cobb, Kelley, Knights, Arnerich, Works, Pierce, Sanford, Griffin, Wardell.

REPORT OF ENROLLING CLERK.

Mr. Marvin, on behalf of the Enrolling Clerk, offered the following report:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1899.

MR. SPEAKER: In the absence of a Committee on Enrollment, I beg leave to report on behalf of the Enrolling Clerk that Assembly Bill No. 1—An Act making an appropriation for the support of the State Printing Office—has been correctly enrolled and delivered to the Governor on this day at ten o'clock and thirty minutes A. M.

MARVIN.

INTRODUCTION OF BILLS, ETC.

The following bills, etc., were introduced, and referred to committees as follows:

By Mr. Cobb: Assembly Concurrent Resolution No. 6—Approving the charter of the consolidated City and County of San Francisco, a municipal corporation, in the State of California, voted for and ratified by the qualified voters of said city and county, at a special election held therein for that purpose, on the 26th day of May, 1898.

Referred to Committee on Municipal Corporations.

At eleven o'clock and forty-five minutes A. M., the Speaker resumed the chair.

By Mr. Johnson: Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 3—A Bill appointing Thomas M. Nosler, John Mullan, and James W. Shanklin agents of this State to collect from the United States all moneys by her advanced and paid for the benefit of the United States in connection with the volunteers of this State mustered into the military service of the United States during the Rebellion, including all expenses incurred by this State in consequence of the Rebellion, and allowing compensation therefor in the event of success.

Read first time, and referred to Committee on Federal Relations.

Also: Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 6—An Act to amend an Act entitled "An Act to provide for the issuing of bonds by reclamation districts and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 7—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 8—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 9—An Act appointing John Mullan agent of this State to collect from the United States all moneys heretofore paid, and which may also become due this State, on account of obligations heretofore assumed by this State for the benefit and "common defense" of the United States growing out of Indian hostilities in this State and upon the borders thereof, including also all moneys which may become due this State on account of the five per cent of the net proceeds of the sales for cash or otherwise of the public lands made by

the United States in this State, and allowing him compensation therefor in the event of success.

Read first time, and referred to Committee on Federal Relations.

Also: Assembly Bill No. 10—An Act for the relief of John Mullan, and to appropriate money therefor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 11—An Act to provide for the construction of a State highway or wagon road from Sacramento City to the Town of Folsom in Sacramento County, creating the offices of Folsom Highway Commissioners, providing for the appointment of an auditing board to the Folsom Highway Commissioners, authorizing and directing said Commissioners and said auditing board to perform certain duties relating to the construction of such highway or wagon road, to condemn land and property for the purpose aforesaid, appropriating crushed rock and granite and stone blocks for drains, culverts, and bridges for the same, and making an appropriation for the expenditures and purposes provided in this Act.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read first time, and referred to Committee on Elections and Election Laws.

By Mr. Arnerich: Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 14—An Act providing for liens upon horses and other animals for the cost of shoeing the same.

Read first time, and referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol Building, and making an appropriation therefor.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 16—An act making an appropriation to pay the claim of Lawrence Stevens, for the apprehension and conviction of Ivan Kovalow, the murderer of the Weber family at Sacramento, State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 17—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Raw: Assembly Bill No. 18—An Act regulating and encouraging mining in the State of California and making a general State law not in conflict with the Federal mining laws.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Rickard: Assembly Bill No. 19—An Act to amend Sections

1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

Read first time, and referred to Committee on Elections and Election Laws.

Also: Assembly Bill No 20—An Act to fix the fees of County Clerk.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 21—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 23—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 26—An Act to pay the claim of William Sullivan against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Le Baron: Assembly Bill No. 27—An Act prescribing the number of hours to constitute a day's labor in the sawmills of California, and prescribing a penalty for a violation thereof.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Cowan: Assembly Bill No. 28—An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate.

Read first time, and referred to Committee on Judiciary.

By Mr. Devoto: Assembly Bill No. 29—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of \$65,000 for the support of the same."

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Works: Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add

thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelsey: Assembly Bill No. 31—An Act appropriating the sum of two thousand dollars for the painting and repairing of the State Normal School Buildings at San José, California.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 32—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Read first time, and referred to Committee on Agriculture.

By Mr. Cargill: Assembly Bill No. 34—An Act for the relief of W. C. Guirey.

Read first time, and referred to Committee on Claims.

By Mr. McKeen: Assembly Bill No. 35—An Act to create the harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the harbor of Oakland, to consist of three Commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties and jurisdictions, fixing their terms, salaries and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the disposition of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed three hundred dollars, or imprisonment not exceeding one hundred days, as a punishment therefor, and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction and providing a punishment therefor of a fine of not less than one hundred dollars and not more than five hundred dollars, or by imprisonment of not less than thirty nor more than ninety days, and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, thoroughfare, faster than a walk, and providing a punishment of a fine of not more than twenty dollars, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided, and making it a misdemeanor for masters, owners, or consignees of vessels or railroads to refuse or to neglect to deliver to the wharfinger or other employé of the board a statement of the quantity of the merchandise

intended to be discharged; and making the punishment therefor a fine of not more than one hundred dollars, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding five hundred dollars, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Read first time, and referred to the Committee on Commerce and Navigation.

Also: Assembly Bill No. 36—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891, by adding the following section thereto.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Wade: Assembly Bill No. 37—An Act relating to certain contracts, conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelley: Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 28 of said Act, relating to and providing for county charges.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, and for the concrete guttering, culverting, and macadamizing of Waring street, in front of the lands of the Institute of the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 40—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 228 of said Act, relating to and providing for county charges.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 41—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 3748, 3758, and 3759 of said Political Code and by repealing Section 3762 of said code, all relating to revenue and taxation.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 42—An Act to amend an Act entitled "An Act authorizing boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations," approved March 26, 1895.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Hoey: Assembly Bill No. 43—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Barry: Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

Read first time, and referred to Committee on Judiciary.

By Mr. Knowland: Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Clark: Assembly Bill No. 46—An Act to add a new section to the Political Code of the State of California, to be known as Section 685, relating to the investment of State funds.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 47—An Act to amend Section 680 of the Political Code of the State of California, relating to investing school funds.

Read first time, and referred to Committee on Judiciary.

By Mr. Beecher: Assembly Bill No. 48—An Act repealing an Act entitled "An Act to regulate the width of tires of wagons to be used upon the public highways of the State of California," approved March 20, 1897.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Merrill: Assembly Bill No. 49—An Act to establish uniform rates to be charged by telephone companies in cities or cities and counties having over fifty (50) thousand inhabitants.

Read first time, and referred to Committee on Corporations.

Also (by request): Assembly Bill No. 50—An Act to amend Section 161 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Constitutional Amendment No. 2—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 10, Article IX, thereof, confirming the founding of the Leland Stanford Junior University, delegating certain powers to the Trustees thereof, and exempting certain of its property from taxation.

Read, and referred to Committee on Education.

Also: Assembly Constitutional Amendment No. 3—Proposing to the people of the State of California an amendment to Section 6, Article XI, of the Constitution of the State of California.

Read, and referred to Committee on Judiciary.

ANNOUNCEMENT.

At twelve o'clock M., the Speaker announced that, in pursuance of law,

the Assembly would proceed to the election of a United States Senator to succeed the Hon. Stephen M. White.

RESOLUTION.

By Mr. Dibble:

WHEREAS, The term of the Hon Stephen M. White, United States Senator in Congress from the State of California, elected on January 18, 1893, will expire on the 4th day of March, 1899, and

WHEREAS, His successor, whose term shall commence on the said 4th day of March, 1899, must now be chosen; therefore, be it

Resolved, That the Assembly do now proceed to name, by viva voce vote, a person for Senator in Congress from the State of California for the term of six years commencing March 4, 1899, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 5, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

On motion of Mr. Dibble, the resolution was adopted.

ELECTION OF UNITED STATES SENATOR.

The Assembly, at twelve o'clock m., proceeded to the election of one United States Senator, in accordance with the following Act of Congress:

Title II, Chapter I, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States, in Congress assembled—

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either house fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in Joint Assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the Joint Assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the Joint Assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the Joint Assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized, and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under seal of the State, to the President of the Senate of the United States

The Speaker declared in order nominations for one United States Senator, to succeed Hon. Stephen M. White.

MOTION.

At twelve o'clock and twenty-five minutes p. m., Mr. Dibble moved that the hour of recess be extended until the business now in hand should be disposed of.

Adopted.

NOMINATIONS.

Mr. Cobb nominated the Hon. Daniel M. Burns of San Francisco.

Mr. Pierce seconded the nomination of the Hon. D. M. Burns.

Mr. Works nominated the Hon. U. S. Grant, Jr., of San Diego.

Mr. McDonald of Alameda seconded the nomination of the Hon. U. S. Grant, Jr.

Mr. Radcliff seconded the nomination of the Hon. U. S. Grant, Jr.

Mr. Kenneally seconded the nomination of the Hon. D. M. Burns.

Mr. Valentine nominated the Hon. Robert N. Bulla, of Los Angeles.

Mr. Belshaw seconded the nomination of the Hon. R. N. Bulla.

Mr. Melick seconded the nomination of the Hon. R. N. Bulla.

Mr. Mead nominated the Hon. Stephen M. White, of Los Angeles.

Mr. Sanford seconded the nomination of the Hon. S. M. White.

Mr. Lardner nominated the Hon. W. H. L. Barnes, of San Francisco.

Mr. Clough seconded the nomination of the Hon. W. H. L. Barnes.

Mr. Marvin nominated the Hon. George A. Knight, of San Francisco.

Mr. Boynton seconded the nomination of the Hon. George A. Knight.

Mr. Anderson nominated the Hon. M. M. Estee, of San Francisco.

There being no further nominations, the Speaker declared the nominations closed.

The roll was thereupon called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, and Lardner—5.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Huber, Melick, Miller of Los Angeles, Robinson, Valentine, and Mr. Speaker—9

For D. M. Burns—Messrs. Arnerich, Barry, Beccher, Cobb, Devoto, Dibble, Henry, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKee, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancey, Greenwell, Jilson, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—19.

For G. A. Knight—Messrs. Boynton and Marvin—2

For Stephen M. White—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21

For M. M. Estee—Messrs. Anderson and Wade—2.

For Van R. Paterson—Messrs. La Bree and Muentner—2.

For Irving M. Scott—Mr. Dunlap—1.

Whole number of votes cast.....	79
Necessary to a choice.....	40
W. H. L. Barnes received.....	5 votes.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	17 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	19 votes.
G. A. Knight received.....	2 votes.
Stephen M. White received.....	21 votes.
M. M. Estee received.....	2 votes.
Van R. Paterson received.....	2 votes.
Irving M. Scott received.....	1 vote.

The Speaker announced the result, and declared that the roll call disclosed no choice for United States Senator.

RESOLUTION.

By Mr. Dibble:

That a message be sent to the Senate informing the Senate of the vote for United States Senator in this House taken this day, requesting the Senate to inform this House of the vote for United States Senator taken in the Senate, and informing the Senate that the Assembly will meet with the Senate in the Assembly Chamber to-morrow, Wednesday, January 11, 1899, at twelve o'clock noon, in Joint Assembly, for the purpose of electing or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Resolution read and adopted.

MOTION.

Mr. Dibble moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

The following message was read :

SENATE CHAMBER, SACRAMENTO, January 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Resolved, That the secretary forthwith inform the Assembly of the vote for United States Senator in this Senate, and that the Senate will meet with the Assembly, in the Assembly Chamber, to-morrow, Wednesday, January 11, 1899, at twelve o'clock meridian, in Joint Assembly, for the purpose of electing or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Whole number of votes cast	39
Necessary to a choice	20
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Stephen M. White received	13 votes.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.

F. J. BRANDON, Secretary of the Senate.
By FRED. L. THOMAS, Assistant Secretary.

RESOLUTION.

By Mr. Dibble:

WHEREAS, It appears by message of the Senate that on this Tuesday, the 10th day of January, 1899, proceedings were had for the election of a United States senator in Congress, in conformity to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874, and it appearing that no choice was had in the Senate; and

WHEREAS, Similar proceedings were had in the Assembly on said Tuesday, the 10th day of January, 1899, and that no choice was had in this House; therefore, be it

Resolved, That the Senate and Assembly do meet in Joint Assembly on Wednesday, the 11th day of January, 1899, at twelve o'clock noon of said day, to choose a Senator in Congress for the term of six years, commencing on the 4th day of March, 1899; and be it further

Resolved, That these resolutions be communicated to the Senate by message.

Resolution read and adopted.

ADJOURNMENT.

At one o'clock and fifty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 11, 1899. }

The Assembly met at ten o'clock A. M., pursuant to adjournment.
Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barce, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence for one day, on motion of Mr. McKeen.

READING OF JOURNAL.

Pending the reading of the Journal, Mr. Dibble moved that the further reading be dispensed with.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, January 11, 1899 }

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 1, entitled "An Act making an appropriation for the support of the State Printing Office."

HENRY T. GAGE,
Governor of the State of California.

ANNOUNCEMENT.

The Speaker announced the receipt of contest papers and matters in relation to Leon Jones vs. Wardell.

Also: Papers and matters in relation to election contest of Brophy vs. O'Brien.

Also: Depositions in contest of McIver vs. Mack.

INTRODUCTION OF BILLS, ETC.

The following bills, etc., were introduced, read first time, and referred to committees as follows:

By Mr. Meserve: Assembly Bill No. 51—An Act amending Section 167 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 52—An Act to reduce the Judges of the Superior Court of San Bernardino County to one.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Kelley: Assembly Bill No. 55—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 56—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 57—An Act to establish the fees of constables and marshals in this State.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Kenneally: Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Read first time, and referred to Committee on Public Lands and Forestry.

By Mr. Blood: Assembly Bill No. 59—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with the road called "Tioga Road," at or near the "Tioga Mine," and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Cospser: Assembly Bill No. 60—Chapter —, an Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Valentine: Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to

be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the produce of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 64—An Act amending the Civil Code of the State of California, adding thereto three new sections, to be numbered 494, 495, and 496, authorizing the purchase or lease by railroad corporations created under the laws of this State, or of any other State or Territory, or of the United States, which are now or hereafter may be doing business as common carriers in this State, or any or all of the property and franchises owned, situated, held, or used wholly or partially in this State by any railroad company created under the laws of this State, or of any other State or Territory, or of the United States, which is now or hereafter may be doing business as a common carrier in this State, and authorizing the sale or lease by any such corporation, as above mentioned, of any such property or franchises, or both, which it may own, use, or hold, wholly or partially in this State.

Read first time, and referred to Committee on Corporations

Also: Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 66—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting up streets and public buildings in cities and towns in the State of California," approved March 26, 1895.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Committee on Ways and Means: Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Belshaw: Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 70—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of election in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity, and making provisions for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Radcliff: Assembly Bill No. 71—An Act to repeal an Act entitled "An Act to create a Bureau of Highways and prescribe its duties and powers, and to make an appropriation for its expenses," approved March 27, 1895.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Anderson: Assembly Bill No. 73—An Act to create the Bureau of State Inspection of Foods, Drinks, and Drugs in the State of California.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 74—An Act creating a live-stock sanitary commission for the State of California, to protect the health of domestic animals of the State from all infectious or contagious diseases.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Read first time, and referred to Committee on Labor and Capital.

By Mr. Lardner: Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat public school district, and the trustees thereof, against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Sanford: Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shinglemills, shakemills, and logging camps.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shinglemills, shakemills, and logging camps.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 85—An Act to prevent the blacklisting of employes.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 86—An Act to appropriate seventeen thousand five hundred (\$17,500) dollars for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate the money therefor, and provide for the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital for the purpose of connecting the Administration Building with the ward buildings of the said Mendocino State Hospital; said buildings to contain Assembly Hall and connecting corridor for the use of the patients of the said State Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 89—An Act to add a new section to the Penal Code, said section to be designated as Section 357½, relating to the marking and branding and the alteration or defacement of marks and brands on domestic animals.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the marking and branding of domestic animals and the alteration and defacement of marks and brands on domestic animals.

Read first time, and referred to Committee on Agriculture.

By Mr. Huber: Assembly Bill No. 91—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 93—An Act providing the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people by municipal corporations of the fifth and sixth classes.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Dibble: Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin for advertising the constitutional amendments for the year 1896.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 95—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary; and to appropriate money therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Miller of Los Angeles: Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens for mechanics and others upon real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 99—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to foreclosure and sale of mortgaged lands.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 100—An Act to authorize the purchase or condemnation of land for streets, when less than the distance between two streets is required, and when the improvement to be effected thereby is not properly chargeable on a particular district.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 101—An Act for the punishment of State, county, and city and county officers for withholding, hindering, or de-

laying, or aiding in the withholding, hindering, or delaying the payment of money derived from taxes or fees collected for State purposes.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Dunlap: Assembly Bill No. 102—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for non-user of corporate powers.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 106—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 107—An Act to prohibit the exercise by any person other than a duly licensed physician or surgeon of mesmeric or hypnotic influence upon any person or persons, and fixing a penalty for any violation of the provisions of this Act.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd, by the State Board of Examiners, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 109—An Act empowering Boards of Supervisors to construct, reconstruct, and change the location of, and entering into contracts concerning bridge or bridges across navigable streams or waterways in this State.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 110—An Act to provide for the inheriting of community property by married woman, upon the death of the husband intestate.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every

person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Read first time, and referred to Committee on Public Lands and Forestry.

Also: Assembly Bill No. 112—An Act to amend Section 312 of the Civil Code, relative to the election of directors of corporations.

Read first time, and referred to Committee on Corporations.

By Mr. Boone: Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Knowland: Assembly Bill No. 114—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts and Justices.

Read first time, and referred to Committee on Judiciary.

By Mr. McDonald of Alameda: Assembly Bill No. 115—An Act providing for the publication of legal or official advertising.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 116—An Act entitled "An Act to prohibit the sale or offering for sale or bringing into the State, for the purpose of sale or giving away, of any cigarettes, cigarette paper, or substitute therefor."

Read first time, and referred to Committee on Public Morals.

By Mr. Cobb: Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 120—An Act to amend an Act approved March 29, 1897, entitled "An Act to amend an Act entitled 'An Act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties in the State,' approved March 26, 1895."

Read first time, and referred to Committee on Education.

By Mr. Wardell: Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, pilot commissioners, and pilotage.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Atherton: Assembly Bill No. 122—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 123—An Act to prevent the maintenance against the State, or any officer thereof, by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county, or any officer thereof, for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy produce, and dairy produce, as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to the stock, and to appropriate money therefor.

Read first time, and referred to Committee on Dairies and Dairy Products.

Also: Assembly Bill No. 125—An Act to prevent deception in the sale of process or renovated butter.

Read first time, and referred to Committee on Dairies and Dairy Products.

Also: Assembly Bill No. 126—An Act to prevent deception in the manufacture and sale of butter in packages known as "shortweight," and to prevent deception in the use of designs or brands.

Read first time, and referred to Committee on Dairies and Dairy Products.

Also: Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Wade: Assembly Bill No. 129—An Act to amend Section 5 of an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Works: Assembly Bill No. 130—An Act to amend Sections 650, 651, 653, 658, 659, 660, 661, 662, 939, 940, 950, 951, 953, and 963 of the Code of Civil Procedure, relating to appeals, and the practice thereto; and to repeal Section 952 thereof, relating to the same subject.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 133—An Act to amend Section 1918 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the legal rate of interest to be charged in the State of California and providing a penalty for the charging of an illegal rate.

Read first time, and referred to Committee on Judiciary.

By Mr. Knights: Assembly Bill No. 134—An Act to amend Sections 541, 542, 543, and 544 of the Code of Civil Procedure of the State of California, relating to attachment.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 135—An Act to amend Section 3432 of the Civil Code of the State of California, relative to "Special relations of debtors and creditors."

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Johnson: Assembly Bill No. 137—An Act to prohibit the wearing of the insignia, badges, links, buttons, uniform or other emblems of secret societies, and the use thereof to obtain aid or assistance by persons not members thereof, and to punish for the violation of this Act.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Read first time, and referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notice of location thereof, amending defective locations, and providing for the deposit of district records with County Recorder, and prescribing the effect to be given to recordation of notices of location and affidavit," approved March 27, 1897

Read first time, and referred to Committee on Mines and Mining.

By Mr. White: Assembly Bill No. 141—An Act providing for the use of separate ballot boxes for each political party at primary elections.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 142—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 143—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 144—An Act concerning registration for primary elections.

Read first time, and referred to Committee on Election Laws.

By Mr. Raub: Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessment in reclamation districts, and to provide for a hearing of the landowners before the Commissioner of Assessment, in relation to such assessment.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 146—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of land from overflow, other than lands recognized as State swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands,' approved April 15, 1880," approved March 19, 1889.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. Marvin: Assembly Bill No. 147—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbor Master of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Read first time, and referred to Committee on Navigation.

By Mr. Merrill: Assembly Bill No. 148—An Act to empower the Common Council, Board of Trustees, Board of Supervisors, or other legislative or governing body of cities, or cities and counties, having a population of over one hundred thousand, to pension the widows of firemen.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Muentzer: Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and referred to Committee on Judiciary.

By Mr. Mack: Assembly Bill No. 150—An Act to amend Section 1 of an Act of the Legislature of the State of California entitled "An Act relating to estrays, and repealing all other Acts and parts of Acts now in force, relating to estrays," approved March 27, 1897.

Read first time, and referred to Committee on Judiciary.

By Mr. McKeen: Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Read first time, and referred to Committee on Health and Quarantine.

By Mr. Fairweather: Assembly Bill No. 152—An Act to regulate the

sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and measures for the enforcement of the Act.

Read first time, and referred to Committee on Agriculture.

By Mr. De Lancie: Assembly Bill No. 153—An Act fixing and defining a miner's inch of water.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Burnett: Assembly Bill No. 154—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Arnerich: Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor and to appropriate money to enforce the same.

Read first time, and referred to Committee on Fruit and Vine Interests.

Also: Assembly Bill No. 156—An Act for protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883; and an Act amendatory thereof, approved February 18, 1885; and an amendatory Act thereof, approved March 7, 1889.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects.

Read first time, and referred to Committee on Ways and Means.

By Mr. Kenneally: Assembly Bill No. 161—An Act to provide for the construction and maintenance of a fireboat for the protection of shipping and inflammable property bordering on the bays of San Francisco County, San Pablo County, and Suisun, and navigable rivers and sloughs adjacent thereto.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Dibble: Assembly Bill No. 162—An Act for the relief of John N. E. Wilson, ex-Insurance Commissioner of the State of California, and of James D. Byrnes and Frank C. DeLong, the bondsmen of said

John N. E. Wilson, ex-Insurance Commissioner, and authorizing the Attorney-General of the State of California to enter satisfaction of judgment for the sum of \$4,063 82, in full settlement of the suit entitled "The People of the State of California, upon the complaint of E. P. Colgan, as Controller of said State, plaintiff, vs. John N. E. Wilson, Frank C. DeLong, and James D. Byrnes, defendants."

Read first time, and referred to Committee on Judiciary.

By Mr. Rickard: Assembly Bill No. 163—An Act to amend Section 1033 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing and service and affidavit of bill of costs and motion to retax same.

Read first time, and referred to Committee on Judiciary.

By Mr. Radcliff: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California the repeal of Section 22 of Article XII of the Constitution, in relation to Railroad Commissioners.

Read, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That the State Printer be and he is hereby directed to immediately print letter heads and envelopes for the members of the Assembly and the committees thereof, and that the members of the Assembly and the chairmen of the committees shall leave their order for such letter heads and envelopes with the Chief Clerk of the Assembly

Resolution read and adopted.

By Mr. Dibble:

Resolved, That an additional rule be adopted, to read as follows:

Rule LXXV: That the Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees, and shall have supervision of the attachés of the House other than those who are under the direction of the Chief Clerk. All assignments of committee clerks and stenographers shall be reported to the House and entered in the Journal.

Read, ordered printed in the Journal, and referred to the Committee on Rules and Regulations.

By Mr. Wade:

ASSEMBLY CONCURRENT RESOLUTION No. 7.

WHEREAS, Numerous suits have been or are about to be commenced by Boards of Supervisors of various counties of this State against the State Controller for the purpose of recovering the amounts of certain commissions alleged to be due and owing from the State to such counties; and

WHEREAS, The successful prosecution of such suits can result in no possible profit to such counties, nor to the people thereof, but on the contrary must result in great loss to the taxpayers of such counties and of the whole State, by way of additional taxes to pay attorneys, amounting in the aggregate to some six hundred thousand dollars; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That said various Boards of Supervisors be and are hereby requested to dismiss all such suits and that a printed copy of this request be mailed by the Chief Clerk of the Assembly to the Clerk of each Board of Supervisors of this State.

Read and, on motion of Mr Wade, referred to Committee on Judiciary.

By Mr. Wardell:

Resolved, That the Superintendent of State Printing be and is hereby directed to print one thousand copies of the Governor's inaugural address for distribution in the Assembly.

Resolution read and adopted.

By Mr. Works:

Resolved, That the Sergeant-at-Arms be and is hereby instructed to rent six type-writing machines for the use of the stenographers of the Assembly. And the Controller of State is authorized to draw his warrant for the amount of the rental, and the Treasurer is directed to pay the same out of the fund for the contingent expenses of the Assembly.

Resolution read and adopted.

By Mr. Cowan:

ASSEMBLY CONCURRENT RESOLUTION No. 8.

Realizing that the constantly increasing influx of Japanese laborers and tradesmen into the United States of America is inimical to the laboring and commercial interests of the citizens of the United States of America, and that importation of Japanese females for lewd purposes is a menace to the morals of our communities; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress are respectfully requested to use their efforts to procure the enactment of such legislation by Congress as will prohibit and restrict the immigration of Japanese laborers and tradesmen and Japanese females into the United States of America; be it further

Resolved, That the Chief Clerk transmit by mail a copy of this resolution to each Senator and Congressman from California.

Referred to Committee on Federal Relations.

By Mr. Brooke:

ASSEMBLY CONCURRENT RESOLUTION No. 9.

WHEREAS, The present method of electing United States Senators has become unpopular with a large majority of the citizens of the United States, and believing that much corruption arises therefrom and that it is not in accord with the fundamental principles of good government; be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators in the Congress of the United States are instructed, and our Representatives requested, to propose an amendment to the Constitution of the United States to be submitted to the Legislatures of the several States for ratification, providing for the election of United States Senators for the several States by the direct vote of the citizens thereof, instead of by the Legislature;

Resolved, That His Excellency the Governor of the State of California be and he is hereby requested to send a certified copy of this resolution to each of our Senators and Representatives in Congress, including the Senator to be elected at the present session of the Legislature

Read, and referred to Committee on Federal Relations.

By Mr. Valentine:

Resolved, That the committee clerks and stenographers heretofore elected by the Assembly receive their pay from the third day of January, 1899.

Resolution read and adopted.

NOTICE.

Mr. Caminetti gave notice that he would, on to-morrow, call up for consideration Assembly Concurrent Resolution No. 5, relating to the Nicaragua Canal.

RESOLUTIONS—(RESUMED).

By Mr. Merrill:

Resolved, That the Sergeant at-Arms be and he is hereby directed to purchase for the use of the Assembly eighty-five copies of County Government Act in California, annotated by W. F. Henning. And the State Controller is hereby instructed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly for the same. And the State Treasurer is hereby authorized to pay said warrant.

Referred to Committee on County and Township Governments.

By Mr. Devoto:

Resolved, That the Sergeant-at-Arms be instructed to contract for a telephone to place

in his office for the use of members, and that the expense be paid out of the Contingent Fund of the Assembly, and that the Controller be directed to draw his warrant for the same.

Resolution read and adopted.

MOTIONS.

Mr. Belshaw moved that the Assembly do now reconsider the vote whereby the resolution of Mr. Devoto was just passed.

So ordered.

Mr. Belshaw moved to amend as follows:

Provided, That such free use of the telephone by the members of the Assembly shall be confined to local messages.

Resolution, as amended, adopted.

RESOLUTION.

By Mr. Melick:

Resolved, That the Sergeant-at-Arms be empowered and he is hereby authorized to purchase such furniture and supplies as may be needed in the Assembly and Committee rooms, the bills for the same to be approved by the Committee on Ways and Means, and by the Assembly, before any liability shall attach to the State.

Resolution read and adopted.

AMENDMENT TO RULES OFFERED.

By Mr. O'Brien:

Amend Section 25 of Rules in subdivision 18, by striking out the word "nineteen" and inserting in lieu thereof the word "twenty-one."

Referred to Committee on Rules and Regulations.

RECESS.

At eleven o'clock and thirty-five minutes A. M., the Speaker declared a recess for fifteen minutes.

RECONVENED.

The Speaker called the Assembly to order at eleven o'clock and fifty minutes A. M.

At eleven o'clock and fifty-five minutes A. M., the Speaker announced the arrival of the Senate, and the two houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 11, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boggs, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Frisk, Rowell, Shortridge, Simpson, Sims, Smith, Statton, Taylor, Trout, and Wolfe—40.

Quorum present.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baton, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—80.

Quorum present.

The President pro tem. of the Senate declared that a quorum of the Joint Assembly was present and that the election of a United States Senator to succeed the Hon. Stephen M. White, as such, was now in order, and directed the Secretary of the Senate to read the Act of Congress requiring a Joint Assembly to be held this day.

It was read, as follows:

Title II, Chapter I, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States, entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

SECTION 14. *The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.*

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote by each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each House shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in Joint Assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the Joint Assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the Joint Assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the Joint Assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy

occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate, by direction of its President pro tem., then read from the Journal of the Senate of Tuesday, January 10, 1899 (which was the second Tuesday after the organization of the thirty-third session of the Legislature of the State of California), so much of the proceedings as related to the election of a Senator in Congress to succeed the Hon. Stephen M. White, a United States Senator from California, whose term of office is about to expire, whereby it appeared that forty Senators were present, thirty-nine voting (Senator Bulla having been excused from voting), each voting for his choice, that no person named had received a majority of all the votes cast, and that

S. M. White received	13 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
R. N. Bulla received	2 votes.
Irving M. Scott received	1 vote.
J. Rosenfeld received	1 vote.
T. R. Bard received	2 votes.
G. A. Knight received	1 vote.
Van R. Paterson received	1 vote.
W. H. L. Barnes received	4 votes.

The Chief Clerk of the Assembly, by direction of the Speaker of the Assembly, then read from the Journal of the Assembly of Tuesday, January 10, 1899 (which was the second Tuesday after the organization of the thirty-third session of the Legislature of the State of California), so much of the proceedings as related to the election of a Senator in Congress to succeed the Hon. Stephen M. White, a United States Senator from California, whose term of office is about to expire, whereby it appeared that seventy-nine members of the Assembly were present, and voted each for his choice, that no person named had received a majority of all the votes cast, and that

W. H. L. Barnes received	5 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	19 votes.
G. A. Knight received	2 votes.
Stephen M. White received	21 votes.
M. M. Estee received	2 votes.
Van R. Paterson received	2 votes.
Irving M. Scott received	1 vote.

The Speaker of the Assembly announced that the roll calls of the Senate and Assembly disclosed the fact that no person named for a Senator in Congress had received a majority vote, and declared that there was no choice voted on yesterday, and that it now devolved upon the Joint Assembly to elect a Senator in Congress to succeed the Hon. Stephen M. White.

The President pro tem. of the Senate thereupon declared nominations for United States Senator in order.

MOTIONS.

Senator Morehouse moved that no nominating speeches be permitted.

After some discussion, the Senator, with the consent of the member who seconded the motion, withdrew the same.

Senator Stratton thereupon moved that no nominating speeches be permitted.

The question having been put, and the President pro tem. being in doubt as to the result, ordered the roll called.

The Secretary of the Senate called the roll of Senators, with the following result:

AYES—Messrs Bettman, Chapman, Currier, Dickinson, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Laird, Leavitt, Prisk, Rowell, Stratton, Taylor, and Trout—17.

NOES—Senators Ashe, Boggs, Boyce, Braunhart, Burnett, Curtin, Cutter, Davis, Doty, Jones, Langford, La Rue, Luchsinger, Maggard, Morehouse, Nutt, Pace, Shortridge, Simpson, Sims, and Wolfe—21.

By direction of the Speaker of the Assembly, the Chief Clerk called the roll of Assemblymen, with the following result:

AYES—Messrs Arnerich, Barry, Brooke, Brown, Burnett, Cargill, Chynoweth, Cobb, Cowan, De Lancie, Fairweather, Feliz, Hanley, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lardner, Marvin, McDonald of Alameda, McKeen, Mead, Merrill, Merritt, Milice, Miller of San Francisco, Radcliff, Raw, Sanford, Stewart, Eugene Sullivan, and E. D. Sullivan—33.

NOES—Messrs. Anderson, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Caminetti, Clark, Clough, Conroy, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Knights, Le Baron, Lundquist, Mack, McDonald of Tuolumne, Melick, Meserve, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—47.

The President pro tem. of the Senate announced the result, as follows: Ayes 50, noes 68, and declared the motion lost.

Assemblyman White moved that the speeches to be made in behalf of the candidates whose names were placed in nomination on yesterday be limited to five minutes, and other nominating speeches be not limited.

On motion of Assemblyman Hoey, the previous motion was laid on the table.

NOMINATIONS.

Hon. Ulysses S. Grant, Jr., of San Diego County, was placed in nomination by Senator Smith.

Hon. Daniel M. Burns, of San Francisco County, was placed in nomination by Senator Wolfe.

Hon. Robert N. Bulla, of Los Angeles County, was placed in nomination by Senator Simpson.

Hon. Irving M. Scott, of San Francisco County, was placed in nomination by Senator Davis.

Hon. George A. Knight, of San Francisco County, was placed in nomination by Senator Gillette.

Hon. W. H. L. Barnes, of San Francisco County, was placed in nomination by Senator Morehouse.

Assemblyman Cosper seconded the nomination of Hon. Robert N. Bulla.

Hon. James D. Phelan, of San Francisco County, was placed in nomination by Assemblyman Wardell.

Senator Curtin seconded the nomination of Hon. James D. Phelan.

Assemblyman Pierce seconded the nomination of Hon. Daniel M. Burns.

Senator Luchsinger seconded the nomination of Hon. W. H. L. Barnes.

Assemblyman Lardner seconded the nomination of Hon. W. H. L. Barnes.

There being no further nominations, the President pro tem. of the Senate declared all nominations closed, and directed the Secretary of the Senate to call the roll of Senators, each of whom would vote his choice for United States Senator, as his name was called. The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Jas. D. Phelan—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—13.
For Van R. Paterson—Senator Taylor—1.
For Thos. R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For J. Rosenfeld—Senator Feeney—1.

W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
G. A. Knight received	1 vote.
Jas. D. Phelan received	13 votes.
Van R. Paterson received	1 vote.
Thos. R. Bard received	2 votes.
Irving M. Scott received	1 vote.
J. Rosenfeld received	1 vote.
Excused from voting, Senator Bulla	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom would vote his choice for United States Senator as his name was called.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, and Lardner—5.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Huber, Melick, Miller of Los Angeles, Robinson, Valentine, and Wright—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancey, Greenwell, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For James D. Phelan—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Felix, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.
For M. M. Estee—Messrs. Anderson and Wade—2.
For Van R. Paterson—Messrs. La Bree and Muentner—2.
For Irving M. Scott—Mr. Dunlap—1.

W. H. L. Barnes received	5 votes
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.

G. A. Knight received	1 vote.
Jas. D. Phelan received	21 votes.
M. M. Estee received	2 votes.
Van R. Paterson received	2 votes.
Irving M. Scott received	1 vote.

The President pro tem. of the Senate declared the result of the roll call, as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	9 votes.
R. N. Bulla received	11 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant received	27 votes.
G. A. Knight received	2 votes.
J. D. Phelan received	34 votes.
Van R. Paterson received	3 votes.
T. R. Bard received	2 votes.
Irving M. Scott received	2 votes.
M. M. Estee received	2 votes.
J. Rosenfeld received	1 vote

And further declared that no person voted for had received a majority vote, and that no election of a United States Senator had as yet taken place.

ADJOURNMENT.

At two o'clock and forty minutes P. M., on motion of Senator Simpson, the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, January 12, 1899.

IN ASSEMBLY.

REASSEMBLED—ADJOURNMENT.

At two o'clock and forty-five minutes P. M., the Speaker called the Assembly to order, and there being no further business, the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
 Thursday, January 12, 1899. }

The Assembly met at ten o'clock A. M., pursuant to adjournment.
 Speaker pro tem. Anderson in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kellee, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill,

Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING OF THE JOURNAL.

Mr. Dibble moved that the reading of the Journal be dispensed with.
So ordered.

MOTION.

Mr. Valentine moved that the rules be suspended, and that the Assembly do now reconsider the vote whereby a resolution offered by him on yesterday was passed.

So ordered.

RESOLUTION

By Mr. Valentine:

Resolved, That the committee clerks and stenographers heretofore elected by the Assembly receive their pay from the third day of January, 1899.

MOTION.

Mr. Valentine moved that the word "third" be stricken out, and the words "from and including the second" be substituted therefor.
So ordered.

Resolution, as amended, adopted.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence for the day, on motion of Mr. McKeen.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. McDonald of Alameda: Assembly Bill No. 164—An Act to provide for the appointment of State detectives; to establish their duties, and to provide for the payment of their salaries.

Read first time, and referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 165—An Act to amend Section 1104 of the Civil Code of the State of California, relating to transfers of property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Read first time, and referred to Committee on Commissions and Public Expenditures.

By Mr. Johnson: Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 168—An Act to amend Section 2643 of the Political Code, relating to road tax, and its apportionment among road districts.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 169—An Act to amend Article IV, Section 2651, of the Political Code, relating to general road fund and highway taxes.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 170—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 171—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. McDonald of Tuolumne: Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 173—An Act to amend an Act entitled "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897.

Read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 174—An Act for the relief of District Agricultural Associations, and appropriating money therefor.

Read first time, and referred to Committee on Agriculture.

By Mr. Cosper: Assembly Bill No. 175—An Act authorizing and providing the means of collecting and receiving, from the United States, all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States, in the suppression of said insurrection which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State in aid of said government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys and the resolutions under which said appointments were made and authorizing the appointment of other agents; defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act and directing the distribution of the moneys so collected.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read first time, and referred to Committee on Election Laws.

By Mr. Brown: Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 178—An Act to enable railroad companies to complete their railroads, and authorizing construction of railroads.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 179—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Caminetti: Assembly Bill No. 180—An Act to provide aid for the use and support of High Schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read first time, and referred to Committee on Education.

By Mr. Meserve: Assembly Bill No. 181—An Act to provide for vacating and closing up any park, plaza, public square, or other public reservation, not belonging to the State, and not situated within any municipality.

Read first time, and referred to Committee on Public Lands and Forestry.

By Mr. Mack: Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, p. 26), relating to assessing and collecting said taxes.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Dunlap: Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Works: Assembly Bill No. 184—An Act to amend an Act entitled "An Act to regulate the vocation of fishing, and to provide therefor revenue for the restoration and preservation of fish in the waters of the State of California," approved March 21, 1887, by adding a new section thereto.

Read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 185—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 626 thereof, relating to game.

Read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 186—An Act relating to the compensation of County Recorders in counties where their compensation is fees only, instead of salary.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 187—An Act to amend Sections 2, 3, 4, 5, 8,

9, and 12, and to repeal Section 11, of an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 188—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 2039, concerning the manner in and the time within which certain objections to depositions shall be made.

Read first time, and referred to Committee on Judiciary.

By Mr. Knights: Assembly Bill No. 189—An Act to amend the Code of Civil Procedure by adding thereto four new sections to be known as Sections 560, 561, 562, and 563, concerning attachments.

Read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 190—An Act authorizing the appointment of private secretaries to the Justices of the Supreme Court, and fixing their compensation.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating and power plant, at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 193—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights; to extend and protect the present water system; to provide for water storage for fire emergency and other purposes; to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 194—An Act to provide for the completion of the main buildings of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishing of the front section thereof; to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also: Assembly Bill No. 195—An Act to provide for the erection and equipment of a commissary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. McDonald of Alameda: Assembly Constitutional Amendment No. 6—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 13, relating to the exemption from taxation of churches and chapels and the real property on which they are situated.

Read, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Cospier:

WHEREAS, The Committee on Contested Elections has had referred for its consideration the papers in several contested elections; and

WHEREAS, at a meeting of the said committee it became apparent that it will probably be necessary to subpoena witnesses to bring records and papers in order to properly determine the merits of said contests;

Resolved, That the Committee on Contested Elections is hereby authorized and empowered to send for persons and papers, and to take testimony to ascertain the facts in the matter of said contests, and the Sergeant-at-Arms is hereby instructed to subpoena such witnesses as the chairman of said committee shall designate, such subpoena to be signed by the chairman and clerk of said Committee on Contested Elections.

Resolution read and adopted.

By Mr. Kelsey:

Resolved, That the Chief Clerk and Sergeant-at-Arms of the Assembly and the State Controller be and they are hereby directed to change the name of Elain McMenamen, a committee clerk of the Assembly, to E. L. Kelsey. said change to take effect from and after January 2, 1899.

Resolution read and adopted.

REPORT OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER: We, your Committee on Federal Relations, have had under consideration Assembly Joint Resolution No. 2—Relative to appropriation by Congress for San Luis Breakwater—and recommend that the same do pass.

DALE, Chairman.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to appropriation by Congress for San Luis Breakwater.

WHEREAS, The growing importance of the commerce of the Pacific Coast demands the development of our various harbors; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress be requested to use all honorable means to secure a sufficient appropriation to complete the Port San Luis breakwater without further delay;

Resolved further, That the Chief Clerk of the Assembly be instructed to transmit by mail a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. Burnett, the resolution was adopted.

Mr. Burnett moved that the resolution be immediately sent to the Senate.

So ordered.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That the stenographers of the Assembly be and they are hereby required to report for duty at the desk of the Chief Clerk every morning at nine o'clock.

Referred to Committee on Rules.

By Mr. Melick:

Resolved, That the State Printer be instructed to deliver Assembly bills in regular order, without regarding Assembly Bill No 19.

Resolution read and adopted.

By Mr. Dibble:

Resolved, That the Secretary of State be instructed to close the accounts of members for stationery and to certify same to State Controller.

Resolution read and adopted.

CONCURRENT RESOLUTION.

By Mr. Caminetti:

ASSEMBLY CONCURRENT RESOLUTION No. 10.

Resolved by the Assembly, the Senate concurring, That the Commission for the Reform and Revision of the Law be permitted to retain one desk, for the use of said commission.

Resolution read and adopted.

RECESS.

At ten o'clock and fifty-five minutes A. M., the Speaker declared a recess until eleven o'clock and forty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty minutes A. M., the Assembly reassembled. Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kennecally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr Speaker—79.

Quorum present.

At eleven o'clock and fifty-five minutes A. M., the Speaker announced the arrival of the Senate, and the two Houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 12, 1899. }

At twelve o'clock M., the Joint Assembly met, pursuant to adjournment. Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

The Joint Assembly was called to order by the President pro tem. of the Senate, who thereupon directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boggs, Boyce, Braumhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Frisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout and Wolfe—40.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cammett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—80.

Quorum of the Joint Assembly present.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, January 11, 1899, resulted in no election of a United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for a Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For J. H. Seawell—Senators Brauhart and Hall—2.
For Frank R. Wehe—Senator Prisk—1.
For Van R. Paterson—Senator Taylor—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For J. Rosenfeld—Senator Feeny—1.
For M. F. Tarpey—Senators Ashe, Boggs, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, and Sims—10

Whole number of votes cast by Senators	39
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr received	7 votes.
G. A. Knight received	1 vote.
J. H. Seawell received	2 votes.
Frank R. Wehe received	1 vote.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
J. Rosenfeld received	1 vote.
M. F. Tarpey received	10 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for a Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Huber, Melick, Miller of Los Angeles, Robinson, and Valentine—8.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry,

Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19

For C. N. Felton—Messrs. Brown and Marvin—2

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For G. A. Knight—Mr. Boynton—1.

For M. M. Estee—Messrs. Anderson and Wade—2.

For Van R. Paterson—Mr. La Barea—1.

For Irving M. Scott—Mr. Dunlap—1

For M. F. Tarpey—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feltz, Glenn, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—20

For W. P. Lawler—Mr. Hoey—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	6 votes.
R. N. Bulla received.....	8 votes.
D. M. Burns received.....	19 votes.
C. N. Felton received.....	2 votes
U. S. Grant, Jr., received.....	19 votes.
G. A. Knight received.....	1 vote.
M. F. Tarpey received.....	20 votes.
Van R. Paterson received.....	1 vote.
M. M. Estee received.....	2 votes.
Irving M. Scott received.....	1 vote.
W. P. Lawler received.....	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	119
Necessary to a choice.....	60
W. H. L. Barnes received.....	10 votes.
R. N. Bulla received.....	10 votes.
D. M. Burns received.....	26 votes.
C. N. Felton received.....	2 votes.
U. S. Grant, Jr., received.....	26 votes.
G. A. Knight received.....	2 votes.
J. H. Seawell received.....	2 votes.
Frank R. Wehe received.....	1 vote.
M. F. Tarpey received.....	30 votes.
Van R. Paterson received.....	2 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes
J. Rosenfeld received.....	1 vote.
M. M. Estee received.....	2 votes.
W. P. Lawler received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION.

Senator Cutter moved that the Joint Assembly proceed to take another ballot for a Senator in Congress.

Motion carried.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for a Senator in Congress.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier and Simpson—2.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For G. A. Knight—Senator Gillette—1.

For Van R. Paterson—Senator Taylor—1.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For J. Rosenfeld—Senators Feeney and Hall—2.

For W. H. Alford—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
J. Rosenfeld received	2 votes.
W. H. Alford received	12 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for a Senator in Congress.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muenter—6.

For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For C. N. Felton—Messrs. Brown and Marvin—2.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.

For G. A. Knight—Mr. Boynton—1.

For M. M. Estee—Messrs. Anderson and Wade—2.

For Van R. Paterson—Mr. La Bree—1.

For Irving M. Scott—Mr. Dunlap—1.

For W. H. Alford—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	6 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	19 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
M. M. Estee received	2 votes.
Van R. Paterson received	1 vote.
Irving M. Scott received	1 vote.
W. H. Alford received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	10 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	26 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
M. M. Estee received	2 votes.
Van R. Paterson received	2 votes.
Thos. R. Bard received	2 votes.
Irving M. Scott received	2 votes.
J. Rosenfeld received	2 votes.
W. H. Alford received	33 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO ADJOURN.

Assemblyman Dibble moved that the Joint Assembly do now adjourn. On the question of adjournment, the roll call was demanded.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Ashe, Bettman, Boggs, Burnett, Dickinson, Feeney, Hall, Hoey, Laird, Langford, Leavitt, Prisk, and Rowell—13.

NOES—Senators Boyce, Brauhart, Bulla, Chapman, Currier, Curtin, Cutter, Davis, Doty, Dwyer, Flint, Gillette, Jones, La Rue, Luchsinger, Maggard, Morehouse, Nutt, Pace, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—27.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Anderson, Arnerich, Barry, Beecher, Burnett, Clough, Cobb, Cosper, Crowley, Devoto, Dibble, Henry, Kenneally, Knights, Lundquist, Merrill, Miller of San Francisco, Pierce, Eugene Sullivan, Wade, and Wardell—21.

NOES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Conrey, Cowan, Crowder, Dale, De Lancie, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Muentzer, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, White, Works, and Mr. Speaker—59.

Upon the completion of the roll call, the Speaker of the Assembly announced the result, and declared that the Joint Assembly had refused to adjourn.

MOTION.

Senator Cutter moved that the Joint Assembly proceed to take another ballot for a Senator in Congress.

Motion carried.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for a Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier and Simpson—2.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For G. A. Knight—Senator Gillette—1.

For J. H. Seawell—Senators Ashe, Boggs, Brauhart, Chapman, Curtin, Doty, Dwyer, Hall, La Rue, Pace, Prisk, and Sims—12.

For Van R. Paterson—Senator Taylor—1.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For J. Rosenfeld—Senator Feeney—1.

Whole number of votes cast by Senators.....	38
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
G. A. Knight received.....	1 vote.
J. H. Seawell received.....	12 votes.
Van R. Paterson received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
J. Rosenfeld received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.

For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For C. N. Felton—Messrs. Brown and Marvin—2.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.

For G. A. Knight—Mr. Boynton—1.

For M. M. Estee—Messrs. Anderson and Wade—2.

For Van R. Paterson—Mr. La Barea—1.

For Irving M. Scott—Mr. Dunlap—1.

For J. H. Seawell—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	6 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	19 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
M. M. Estee received	2 votes.
Van R. Paterson received	1 vote.
Irving M. Scott received	1 vote.
J. H. Seawell received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	118
Necessary to a choice	60
W. H. L. Barnes received	10 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	26 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
J. H. Seawell received	33 votes.
Van R. Paterson received	2 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
J. Rosenfeld received	1 vote.
M. M. Estee received	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At one o'clock and thirty-five minutes p. m., Assemblyman Wade moved to adjourn.

On the question of adjournment, the roll call was demanded.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Bettman, Bulla, Burnett, Currier, Dickinson, Feeney, Gillette, Hall, Hoey, Laird, Leavitt, Luchsinger, Maggard, Morehouse, Prisk, Rowell, Shortridge, Simpson, Taylor, and Wolfe—20.

NOES—Senators Ashe, Boyce, Braunhart, Chapman, Curtin, Cutter, Davis, Doty, Dwyer, Flint, Jones, La Rue, Nutt, Pace, Sims, Smith, Stratton, and Trout—18.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowly, Devoto, Dibble, Fairweather, Henry, Huber, Jilson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—49.

NOES—Messrs. Arnerich, Blood, Boone, Brooke, Cargill, Cowan, Crowder, Dale, De Lancie, Dunlap, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Johnson, Knights, Le Baron, Mack, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, Muentner, O'Brien, Radcliff, Raub, Raw, E. D. Sullivan, and Works—32.

The Speaker of the Assembly announced the result, and thereupon declared the Joint Assembly adjourned until twelve o'clock meridian of Friday, January 13, 1899.

IN ASSEMBLY.

REASSEMBLED—ADJOURNMENT.

At one o'clock and thirty minutes P. M., the Assembly reassembled, and there being no further business, the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 13, 1899. }

The Assembly met at ten o'clock and twenty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence for the day, on motion of Mr. McKeen.

READING OF THE JOURNAL.

On motion of Mr. Wade, the reading of yesterday's Journal was dispensed with.

APPROVAL OF JOURNALS.

The Journals of Tuesday, January 10, 1899, and Wednesday, January 11, 1899, were corrected and approved.

MOTIONS—RE-REFERENCE OF BILLS.

Mr. Cosper moved that Assembly Bill No. 175 be recalled from the Committee on Judiciary and re-referred to Committee on Ways and Means.

So ordered.

Mr. Atherton moved that Assembly Bills Nos. 122 and 123 be recalled from the Committee on County and Township Governments and re-referred to Committee on Judiciary.

So ordered.

Mr. Dibble moved that Assembly Concurrent Resolution No. 6 be recalled from the Committee on Municipal Corporations and re-referred to Committee on Judiciary.

Mr. Cobb moved to amend by recalling to the Assembly, without reference to any committee, Assembly Concurrent Resolution No. 6.

Amendment adopted, and it was so ordered.

Mr. Sanford moved that Assembly Bills Nos. 89 and 90 be recalled from the Committee on Agriculture and re-referred to Committee on Judiciary.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, having had under consideration the resolution offered by Mr. Dibble, proposing an amendment to the Rules by an addition of a new rule, which resolution was referred to said committee, now report a substitute for said resolution, and recommend that it be adopted, as follows:

RULE LXXV.—SUPERVISION OF ATTACHÉS.

The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees; *provided*, that the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the chairman of those committees, respectively.

The Sergeant-at-Arms, or Assistant Sergeant-at-Arms under direction of the Sergeant-at-Arms, shall have supervision of the gatekeepers, porters, mail clerks, pages, bill clerks, and file clerks, and shall assign them to their respective places and duties (except the page to the Speaker, who shall be under the exclusive supervision of the Speaker). The Sergeant-at-Arms shall direct such attachés in the discharge of their duties, and shall report them to the Speaker for any neglect of duty.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

DIBBLE, Chairman.

Report read and adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Mead: Assembly Bill No. 196—An Act to regulate the granting of telephones and telegraph, street railroad, and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. De Lancie: Assembly Bill No. 197—An Act authorizing the Board of Trustees of the State Normal School at Chico to construct and furnish an addition to the State Normal School building at said place, and appropriating money therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 198—An Act entitled an Act to amend Section 1858 of the Political Code of this State.

Read first time, and referred to Committee on Judiciary.

By Mr. Blood: Assembly Bill No. 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Chynoweth: Assembly Bill No. 200—An Act to prevent monopolies in articles or commodities of common use and prohibit restraints of trade and commerce, and providing penalties for violations of the provisions of this Act.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Pierce: Assembly Bill No. 201—An Act to amend an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897, by amending Section 5 of said Act.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Melick: Assembly Bill No. 202—An Act to classify the roads in the State of California, to define each class, and to provide for their management.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 203—An Act to promote the apicultural interests of the State, by providing County Inspectors of Apiaries and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 204—An Act providing for the location, construction, and maintenance of highways, owned or to be acquired by the State of California, by the levy of a rate of taxation, and the creation of a fund therefor, and defining the purposes of said fund, and the duties of the several officers in collecting and disbursing the same.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Devoto: Assembly Bill No. 205—An Act to amend Sections 2 and 6 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner," approved March 24, 1893, and to add a new section thereto, to be known as Section 8.

Read first time, and referred to Committee on Judiciary.

By Mr. Muentert: Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read first time, and referred to Committee on Commissions and Public Expenditures.

By Mr. Conrey (by request): Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 208—An Act to regulate and improve the Civil Service of the State of California, and to appropriate money therefor.

Read first time, and referred to Committee on Commissions and Public Expenditures.

By Mr. Cobb: Assembly Bill No. 209—An Act to amend Section 1299 of the Code of Civil Procedure of the State of California, relating to petitions for probate of will.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 210—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to proceedings on production of foreign will.

Read first time, and referred to Committee on Judiciary.

By Mr. Crowder: Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Brooke: Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Works: Assembly Bill No. 213—An Act to amend Section 1 of an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 214—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relative to Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 215—An Act to amend Section 1617 of the Political Code of the State of California, relating to the powers and duties of the Trustees of School Districts, and of Boards of Education.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 216—An Act amending Section 1042 of the Penal Code of the State of California, concerning the mode of trial in criminal cases.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893,

for the payment of delinquent taxes for such years; providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption; authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales; providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 218—An Act requiring the making and recording of maps of cities, towns, and additions to cities or towns, and subdivisions of lands into small lots, or tracts, for the purposes of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns; subdivisions, or additions thereto, before such maps are filed and recorded, and providing for the recording of maps now on file in Recorder's office.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Mack: Assembly Bill No. 219—An Act to amend an Act entitled "An Act to authorize the Board of Supervisors or other governing authorities of the several counties, cities and counties, cities, and towns of the State, to provide pensions or benefits for the relief of aged, infirm, or disabled firemen," approved March 11, 1889.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Jilson: Assembly Bill No. 220—An Act to repeal Section 8 of an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences, or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876, and to make the provisions of said Act to apply to all the counties of this State.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Knowland: Assembly Bill No. 221—An Act to create a State Board of Accountancy, prescribe its duties and powers, and to provide for the examination of, and issuance of certificates of registration to, qualified applicants, with the designation of Registered Public Accountants.

Read first time, and referred to Committee on Judiciary.

By Mr. Wardell: Assembly Bill No. 222—An Act to amend Section 3010 of the Political Code of the State of California, relating to salaries of officers and employes of the Board of Health.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 223—An Act to amend Section 3009 of the Political Code of the State of California, to read as follows, relating to the appointment of certain officers and employes of the Board of Health

Read first time, and referred to Committee on Judiciary.

By Mr. Fairweather: Assembly Bill No. 224—An Act to amend Section 588 of the Penal Code, relating to malicious injuries to highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Anderson: Assembly Bill No. 225—An Act to prevent the

spread of glanders, farcy, anthrax, splenic, or Texas fever, or any contagious or infectious diseases peculiar to domestic animals.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Caminetti: Assembly Bill No. 226—An Act amending Section 2 of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, relating to the taking of samples from mines, and for the better protection of the stockholders in mining corporations.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Johnson: Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence at roll call for the month of January on account of illness.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to supply to the Judiciary Committee, under the instructions of the chairman thereof, such furniture, appointments, and supplies and stationery as are needed for the use of said committee and the proper furnishing of the meeting-room of said committee.

Resolution read and adopted.

By Mr. Kelley:

Resolved, That the State Printer be and he is hereby authorized to use his own judgment in selecting a uniform letterhead to be used by the members of this house.

Resolution read and adopted.

By Mr. Griffin:

ASSEMBLY CONCURRENT RESOLUTION No 11.

WHEREAS, The right of conservation and appropriation of the waters of the streams of the State for purposes of irrigation, under wise and judicious restrictions, and in such manner as to give an equitable distribution thereof, must be accorded; and

WHEREAS, Every foot of the great San Joaquin Valley, comprising the counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and Kern, with an area of over seven and one half millions of acres, might be irrigated from the waters of the Stanislaus, Tuolumne, Merced, Fresno, Kings, and Kern rivers; and

WHEREAS, The physical and climatic conditions of this valley render it impossible to till the land successfully and with certainty without an artificial supply of water for irrigation thereof; and

WHEREAS, Much of the valley is too arid for cultivation without irrigation, and with water will produce abundantly of all the staple fruits and cereals, and would be worth vast sums of money, but without water produces nothing with certainty, and is comparatively valueless; and inasmuch as irrigation means population, progress, prosperity, and wealth to this valley; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to take such action as shall result in an estimate of the cost of, by engineers of the Federal Government, and a proposal of a plan for the extent and circumstances of restraining works to confine and husband the waters of the Stanislaus, Tuolumne, Merced, Fresno, Kings, and Kern rivers, where a dam or dams on each of them can be best located, the amount of water that may be utilized, and a secondary system of main irrigating canals leading therefrom, and tertiary distributing facilities, and such other necessary works as will provide for the sufficient irrigation of the whole valley of the San Joaquin, and to enable the valley to be divided into districts, and the amount of land that may be irrigated in each, and that following such report an appropriation may be made by Congress to defray the cost of the same;

Resolved further, That the Chief Clerk transmit, by mail, a copy of this resolution to each Senator and Congressman from California at Washington, D. C.

Referred to Committee on Irrigation.

By Mr. Belshaw:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to provide drawers and keys for such desks in the Assembly set apart for the use of the accredited representatives of the press as are not already so provided.

Resolution read and adopted.

By Mr. Arnerich:

Resolved, That P. J. Arnerich be and is hereby changed from Bill Clerk to Clerk of Sergeant-at-Arms; and be it further

Resolved, That J. J. Connell be changed from Fireman to Bill Clerk.

Referred to Committee on Attachés and Employes.

By Mr. Works:

ASSEMBLY JOINT RESOLUTION No. 3.

WHEREAS, The United States Government has expended a large sum of money in the partial construction of a jetty at the mouth of San Diego Bay, and

WHEREAS, The growing importance of the commerce of the Pacific Coast in general, and of the City of San Diego in particular, demands that said jetty be completed; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be and they are hereby requested, and our Representatives be and they are hereby instructed, to use all honorable means to secure a sufficient appropriation for the completion of the government jetty now partially constructed at the mouth of San Diego Bay;

Resolved further, That the Chief Clerk of the Assembly be and he is hereby instructed to mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

RE-REFERENCE OF BILL.

On motion of Mr. Dunlap, Assembly Bill No. 104 was recalled from the Committee on Municipal Corporations and re-referred to the Committee on Corporations.

RECESS.

At eleven o'clock and fifty minutes A. M., the Speaker declared a recess for five minutes.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened.

Speaker Wright in the chair.

The Speaker announced the arrival of the Senate, and the two houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 13, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and

manner of holding elections for Senators in Congress, approved July 25, 1866.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boggs, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—40.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muncster, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—80.

Quorum of the Joint Assembly present.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, January 12, 1899, resulted in no election of a United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For *W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
 For *R. N. Bulla*—Senators Currier and Simpson—2
 For *D. M. Burns*—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7
 For *U. S. Grant, Jr.*—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7
 For *G. A. Knight*—Senator Gillette—1
 For *James G. Maguire*—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—12
 For *Van R. Paterson*—Senator Taylor—1
 For *Thomas R. Bard*—Senators Flint and Rowell—2
 For *Irring M. Scott*—Senator Davis—1
 For *J. Rosenfeld*—Senators Feeney and Hall—2.

Whole number of votes cast by Senators.....	39
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
G. A. Knight received	1 vote.
James G. Maguire received	12 votes.

Van R. Paterson received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
J. Rosenfeld received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Messrs. Anderson and Wade—2.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.
For C. N. Felton—Messrs. Brown and Marvin—2.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.
For James G. Maguire—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Fehz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and Wardell—20.
For James F. Smith—Mr. White—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	6 votes.
M. M. Estee received.....	2 votes.
R. N. Bulla received.....	7 votes.
D. M. Burns received.....	19 votes.
C. N. Felton received.....	2 votes.
U. S. Grant, Jr., received.....	20 votes.
G. A. Knight received.....	1 vote.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	1 vote.
James G. Maguire received.....	20 votes.
James F. Smith received.....	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	119
Necessary to a choice.....	60
W. H. L. Barnes received.....	10 votes.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	26 votes.
C. N. Felton received.....	2 votes.
U. S. Grant, Jr., received.....	27 votes.
G. A. Knight received.....	2 votes.
James G. Maguire received.....	32 votes.
Van R. Paterson received.....	2 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes.
M. M. Estee received.....	2 votes.
J. Rosenfeld received.....	2 votes.
James F. Smith received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

Senator Cutter moved that the Joint Assembly proceed to take another ballot for Senator in Congress.

Motion carried.

The President pro tem. of the Senate directed the Secretary of the

Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For James F. Smith—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—13.
For Van R. Paterson—Senator Taylor—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
James F. Smith received	13 votes.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
J. Rosenfeld received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Messrs. Anderson and Wade—2.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.
For C. N. Felton—Messrs. Brown and Marvin—2.
For U. S. Grant, Jr.—Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.
For James F. Smith—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowly, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	19 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
James F. Smith received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.

R. N. Bulla received.....	9 votes.
D. M. Burns received.....	26 votes.
C. N. Felton received.....	2 votes.
U. S. Grant, Jr., received.....	27 votes.
G. A. Knight received.....	2 votes.
Irving M. Scott received.....	2 votes.
Van R. Paterson received.....	2 votes.
James F. Smith received.....	34 votes.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Irving M. Scott—Senator Davis—1.
For Van R. Paterson—Senator Taylor—1.
For A. Caminetti—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Frisk, and Sims—13.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators.....	39
W. H. L. Barnes received.....	4 votes
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
G. A. Knight received.....	1 vote.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	1 vote.
A. Caminetti received.....	13 votes.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estez—Messrs. Anderson and Wade.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.
For C. N. Felton—Messrs. Brown and Marvin—2.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancey, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.

For A. Caminetti—Messrs. Boone, Brooke, Burnett, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—20.

For John Boggs—Mr. Caminetti—1.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	19 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
A. Caminetti received	20 votes.
John Boggs received	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	26 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	2 votes.
Van R. Paterson received	2 votes.
A. Caminetti received	33 votes.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.
John Boggs received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Irving M. Scott—Senator Davis—1.
For Van R. Paterson—Senator Taylor—1.
For Marion De Vries—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—13.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	13 votes.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Messrs. Anderson and Wade—2.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.
For C. N. Felton—Messrs. Brown and Marvin—2.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Baree—1.
For Marion De Vries—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Fehz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	19 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	26 votes.
C. N. Felton received	2 votes.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	2 votes.
Van R. Paterson received	2 votes.
Marion De Vries received	34 votes.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.

ADJOURNMENT.

At one o'clock and ten minutes p. m., Assemblyman McDonald of Alameda moved to adjourn.

On the question of adjournment, the roll call was demanded.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Bettman, Boggs, Boyce, Burnett, Currier, Cutter, Dickinson, Feeney, Flint, Gillette, Hoey, Jones, Laird, Leavitt, Maggard, Morehouse, Nutt, Rowell, Smith, Taylor, and Trout—21.

NOES—Senators Ashe, Braunhart, Bulla, Chapman, Curtin, Davis, Doty, Dwyer, Hall, Langford, La Rue, Luchsinger, Pace, Prisk, Shortridge, Simpson, Sims, Stratton, and Wolfe—19.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Bliss, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Cowan, Crowder, Dale, De Lancia, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Kenneally, Knowland, La Barea, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Meserve, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Stewart, Eugene Sullivan, Wade, Wright, and Works—48.

NOES—Arnerich, Belshaw, Blood, Boone, Brooke, Cobb, Cosper, Crowly, Devoto, Dibble, Feliz, Henry, Johnson, Kelley, Kelsey, Knights, Lardner, Lundquist, Mack, Mead, Melick, Milice, Miller of Los Angeles, Muentner, O'Brien, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wardell, and White—32.

The Speaker of the Assembly announced the result, and thereupon declared the Joint Assembly adjourned until twelve o'clock meridian of Saturday, January 14, 1899.

IN ASSEMBLY.

REASSEMBLED.

At one o'clock and twenty minutes P. M., the Assembly reconvened.
Speaker Wright in the chair.

LEAVE OF ABSENCE.

Mr. Anderson was granted leave of absence until Monday.

ADJOURNMENT.

At one o'clock and twenty-two minutes P. M., on motion of Mr. Kelsey, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, January 14, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 14, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNAL.

The Journal of Thursday, January 12th, was read and approved.

LEAVE OF ABSENCE.

Messrs. Crowley and Miller of San Francisco were granted leave of absence until Monday.

INTRODUCTION OF BILLS, ETC.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Bliss: Assembly Bill No. 228—An Act entitled "An Act to amend the Political Code by adding a new section, prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any other States of the United States.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

Read first time, and referred to Committee on Agriculture.

By Mr. Mead: Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Read first time, and referred to Committee on Corporations.

By Mr. Meserve: Assembly Bill No. 231—An Act to amend Section 851 of the Code of Civil Procedure of the State of California, relating to pleadings in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Merritt: Assembly Bill No. 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitors' Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

Read first time, and referred to Committee on Commissions and Public Expenditures.

By Mr. Works: Assembly Bill No. 233—An Act to amend Section 792 of the Political Code of the State of California, relating to notaries public.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 234—An Act to amend Section 1188 of the Civil Code of the State of California, relating to certificates of acknowledgment.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 235—An Act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property, and providing how the same shall be attached.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 236—An Act to amend Section 844 of the Code of Civil Procedure, relating to the issuing of, and directing what shall be contained in, the summons issued by Justices of the Peace.

Read first time, and referred to Committee on Judiciary.

By Mr. Eugene Sullivan: Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 238—An Act for the relief of Julius A. Holt, a private of Company C, First Regiment Infantry, Second Brigade, N. G. C., for injury sustained while in active service.

Read first time, and referred to Committee on Ways and Means.

By Mr. Mack: Assembly Bill No. 239—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Devoto: Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch.

Read first time, and referred to Committee on Claims.

By Mr. Caminetti: Assembly Bill No. 241—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of J. W. Sibole.

Read first time, and referred to Committee on Claims.

By Mr. Cobb: Assembly Constitutional Amendment No. 7—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section to Article IX thereof, to be numbered with the next consecutive number of sections to said article, relating to exempting certain school properties from taxation.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Valentine:

Resolved, That the State Printer is hereby directed to furnish each committee of the Assembly with the printed matter necessary for its use, upon application from the chairmen of the committees.

On motion of Mr. Valentine, the rules were suspended and the resolution adopted.

By Mr. Johnson:

Resolved, That the Committee on Commissions and Public Expenditures be and they are hereby directed to inquire into the management of all the State commissions, and report to the House, by bill or otherwise, what, if any, changes are needed therein, and what, if any, commissions could be abolished, and what, if any, saving can be effected in the management of said commissions. And said committee is hereby given power to send for persons and papers, in order to make a thorough and complete investigation.

Resolution adopted.

At ten o'clock and forty-five minutes A. M., the Speaker called Mr. Valentine to the chair.

By Mr. Blood:

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to mail to each of the cities and towns of the State, to the clerk thereof, two copies of all bills herein introduced, as the same shall be printed, relating to municipal affairs.

Resolution adopted.

SPECIAL ORDER.

Mr. Cobb moved that Assembly Concurrent Resolution No. 6 (San Francisco charter) be made the special order for Tuesday morning, immediately after reading of the Journal.

So ordered.

RESOLUTION.

By Mr. Works:

Resolved, That up to five o'clock of afternoons during which the Assembly is not in session two of the Pages be and hereby are required to be in attendance in and about the Assembly Chamber. The Pages shall so attend in pairs in regular rotation, to be arranged by the Chief Clerk.

Resolution adopted.

BILLS RE-REFERRED.

Mr. Mead moved that Assembly Bill No. 196 be recalled from the Committee on Municipal Corporations and re-referred to Committee on Corporations.

So ordered.

Mr. Wardell moved that Assembly Bills Nos. 222 and 223 be recalled from Committee on Judiciary and re-referred to Committee on Public Health and Quarantine.

So ordered.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

MR. SPEAKER: Your Committee on Attachés and Employés have met, and beg to recommend that the chairmen of the different committees suggest to the Committee on Attachés and Employés the name of the clerk they desire to have assigned to their particular committee, so that this committee may be able to make the proper assignments. Your committee further recommend that the stenographers inform this committee where they can be found.

LUNDQUIST, Chairman.

Report adopted.

RECESS.

At ten o'clock and ten minutes A. M., on motion of Mr. Mead, the Assembly took a recess until eleven o'clock and forty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker Wright in the chair.

Mr. Dibble moved that when the Assembly do adjourn this day, that it be until eleven o'clock and thirty minutes A. M. on Monday next.

Adopted.

The Speaker announced the arrival of the Senate, and the two houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 14, 1899. }

The hour of twelve o'clock meridian having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boggs, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shorridge, Simpson, Sims, Smith, Taylor, Trout, and Wolfe—38.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Works—77.

Quorum of the Joint Assembly present.

READING OF JOINT ASSEMBLY JOURNAL.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, January 13, 1899, resulted in no election of a United States Senator, and declared that an election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For *W. H. L. Barnes*—Senators Dickinson, Luchsinger, and Morehouse—3.
 For *R. N. Bulla*—Senators Currier and Simpson—2.
 For *D. M. Burns*—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
 For *U. S. Grant, Jr.*—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
 For *G. A. Knight*—Senator Gillette—1.
 For *Irving M. Scott*—Senator Davis—1.
 For *Van R. Paterson*—Senator Taylor—1.
 For *John Rosenfeld*—Senator Feeney—1.
 For *J. V. Coffey*—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, La Rue, Pace, Prisk, and Sims—12.
 For *Thomas R. Bard*—Senators Flint and Rowell—2.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	3 votes.
R. N. Bulla received	2 votes
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes.
John Rosenfeld received	1 vote.
J. V. Coffey received	12 votes

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For *W. H. L. Barnes*—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
 For *M. M. Estee*—Mr. Wade—1.
 For *R. N. Bulla*—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
 For *D. M. Burns*—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—18.
 For *C. N. Felton*—Mr. Brown—1.
 For *U. S. Grant, Jr.*—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
 For *G. A. Knight*—Mr. Boynton—1.
 For *Irving M. Scott*—Mr. Dunlap—1.
 For *Van R. Paterson*—Mr. La Barea—1.
 For *J. V. Coffey*—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	6 votes.
M. M. Estee received	1 vote
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
J. V. Coffey received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call announced the vote as follows:

Whole number of votes cast	114
Necessary to a choice	58
W. H. L. Barnes received	9 votes
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	25 votes.

C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	2 votes.
Van R. Paterson received	2 votes.
Thomas R. Bard received	2 votes.
John Rosenfeld received	1 vote.
James V. Coffey received	33 votes.

And thereupon declared the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Senators Dickinson, Luchsinger, and Morehouse—3.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Irving M. Scott—Senator Davis—1.
For Van R. Paterson—Senator Taylor—1.
For Gillis Doty—Senator Hall—1.
For John Rosenfeld—Senator Feeney—1.
For W. M. Conley—Senators Ashie, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—11.
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received	3 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Gillis Doty received	1 vote.
John Rosenfeld received	1 vote.
W. M. Conley received	11 votes.
Thomas R. Bard received	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muenter—6.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Julson, Johnson, Kelley, Kelsey, Kennally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Bree—1.

For W. M. Conley—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	6 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
W. M. Conley received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	114
Necessary to a choice	58
W. H. L. Barnes received	9 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	2 votes.
Van R. Paterson received	2 votes.
Gillis Doty received	1 vote.
John Rosenfeld received	1 vote.
W. M. Conley received	33 votes.
Thomas R. Bard received	2 votes.

And thereupon declared the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO ADJOURN.

At twelve o'clock and forty-five minutes P. M., Assemblyman Brown moved to adjourn until Monday, January 16, 1899, at twelve o'clock meridian.

On the question of adjournment, the roll call was demanded.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Boggs, Boyce, Chapman, Currier, Dickinson, Feeney, Flint, Luchsinger, Maggard, Morehouse, Rowell, Simpson, and Smith—13.

NOES—Senators Ashe, Bettman, Braunhart, Bulla, Burnett, Curtin, Cutter, Davis, Doty, Dwyer, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Nutt, Pace, Prisk, Shortridge, Sims, Taylor, Trout, and Wolfe—25.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Atherton, Brooke, Brown, Cargill, Clark, Clough, Cowan, Griffin, Huber, Jilson, Knights, Lardner, McDonald of Alameda, Milce, Sanford, Stewart, and Wade—17.

NOES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lunquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—58.

The Speaker of the Assembly announced the result as 30 for adjourn-

ment and 83 against adjournment, and thereupon the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to take another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Morehouse—3.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Irving M. Scott—Senator Davis—1.
For Van R. Paterson—Senator Taylor—1.
For John Rosenfeld—Senator Feeney—1.
For Jo Hamilton—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, La Rue, Pace, Prisk, and Sims—12.
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received	3 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
John Rosenfeld received	1 vote.
Jo Hamilton received	12 votes.
Thomas R. Bard received	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W H L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For C N Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.
For Jo Hamilton—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—21.

Whole number of votes cast by Assemblymen.....	77
W. H. L. Barnes received	6 votes
M. M. Estee received	1 vote.
R. N. Bulla received	7 votes
D. M. Burns received	18 votes
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Jo Hamilton received	21 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	114
Necessary to a choice.....	58
W. H. L. Barnes received.....	9 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	25 votes
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	27 votes
G. A. Knight received.....	2 votes.
Irving M. Scott received.....	2 votes.
Van R. Paterson received.....	2 votes.
Jo Hamilton received.....	33 votes.
John Rosenfeld received.....	1 vote
Thomas R. Bard received.....	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Morehouse—3.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Irving M. Scott—Senator Davis—1.
For Van R. Paterson—Senator Taylor—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For John Rosenfeld—Senator Feeney—1.
For Charles D. Lane—Senators Ashe, Boggs, Braunhart, Chapman, Curtin, Doty, Dwver, Hall, La Rue, Pace, Prisk, and Sims—12

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received.....	3 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes
U. S. Grant, Jr., received.....	7 votes.
G. A. Knight received.....	1 vote.
Irving M. Scott received.....	1 vote
Van R. Paterson received.....	1 vote.
Charles D. Lane received.....	12 votes.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Mr. Wade—1
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For C. N. Felton—Mr. Brown—1

For *U. S. Grant, Jr.*—Messrs Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.

For *G. A. Knight*—Mr. Boynton—1.

For *Irving M. Scott*—Mr. Dunlap—1.

For *Van R. Paterson*—Mr. La Bree—1.

For *Charles D. Lane*—Messrs. Boone, Brooke, Burnett, Caminetti, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Stewart, E D Sullivan, Wardell, and White—19.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	6 votes.
M. M. Estee received	1 vote
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote
Charles D. Lane received	19 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	112
Necessary to a choice	57
W. H. L. Barnes received	9 votes.
M. M. Estee received	1 vote
R. N. Bulla received	9 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes
Irving M. Scott received	2 votes.
Van R. Paterson received	2 votes.
Charles D. Lane received	31 votes.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.

ADJOURNMENT.

At one o'clock and ten minutes P. M., Assemblyman Belshaw moved to adjourn.

On the question of adjournment, the roll call was demanded by Messrs. Belshaw and Johnson and Senator Leavitt.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Boggs, Boyce, Bulla, Chapin, Carrier, Cutter, Dickinson, Feehey, Flint, Gillette, Jones, Luchsinger, Maggard, Morehouse, Nutt, Rowell, Simpson, Smith, Taylor, and Trout—20

NOES—Senators Ashe, Bettman, Brauhart, Burnett, Curtin, Davis, Doty, Dwyer, Hall, Hoey, Laird, La Rue, Leavitt, Pace, Prisk, Shortridge, Sims, and Wolfe—18.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Cargill, Clark, Clough, Conrey, Coper, Crowder, De Lancie, Fairweather, Feliz, Greenwell, Hanley, Jilson, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Muenster, Radcliff, Raub, Raw, Robinson, Stewart, Valentine, Wade, Wardell, Works, and Mr. Speaker—42.

NOES—Messrs. Arnerich, Barry, Beecher, Boone, Boynton, Burnett, Caminetti, Cobb, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Glenn, Griffin, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knights, Lundquist, McKeen, Mead, Melick, O'Brien, Pierce, Rickard, Eugene Sullivan, E. D. Sullivan, and White—33.

The Speaker of the Assembly announced the result as 62 in favor of adjournment and 51 against adjournment, and thereupon declared the Joint Assembly adjourned until twelve o'clock meridian of Monday, January 16, 1899.

IN ASSEMBLY.

REASSEMBLED.

At one o'clock and twenty minutes P. M., the Assembly reconvened. Speaker Wright in the chair.

ADJOURNMENT.

At one o'clock and twenty-two minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until eleven o'clock and thirty minutes A. M. of Monday, January 16, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 16, 1899. }

The Assembly met at eleven o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Clark, Clough, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Glenn was granted leave of absence for the day, on motion of Mr. Boone.

Mr. Raw was granted leave of absence for the day, on motion of Mr. Belshaw.

Mr. Caminetti was granted leave of absence for to-day and to-morrow, on motion of Mr. Mead.

JOURNALS READ AND APPROVED.

The Journals of Friday, January 13, 1899, and Saturday, January 14, 1899, were read and approved.

At eleven o'clock and forty minutes A. M., the Speaker called Speaker pro tem. Anderson to the chair.

QUESTION OF PRIVILEGE.

Mr. Wright spoke to a question of privilege regarding certain charges in a San Francisco newspaper.

RESOLUTION.

By Mr. Johnson:

WHEREAS, Direct charges have been made that improper means have been used to influence the action of Hon. Howard E. Wright, a member of and Speaker of the Assembly, in the election of a United States Senator by the Legislature; and

WHEREAS, It has been charged that some persons have used and are using illegal methods to influence the action of members of the Assembly in the said election; and

WHEREAS, It has been indirectly charged that members of the Assembly have been improperly influenced in their votes for United States Senator, and

WHEREAS, Such charges have been given wide publicity, and should be investigated to the end that if found to be true the guilty should be punished, and if found to be untrue the originators thereof should be punished, now, therefore, be it

Resolved, That a select committee of seven members of the Assembly be appointed by the Speaker pro tem. to immediately and fully, thoroughly and carefully, investigate each and all of said charges, whether direct or indirect, and also to investigate in like manner the methods used to influence members of the Assembly in their votes for United States Senator, and that said committee have full power to send for persons, books, telegrams, and papers, and to employ a clerk and stenographer, and that it have leave to sit during the sessions of the Assembly, and that said committee report, fully, as speedily as possible, with such recommendations as it may deem proper.

On motion of Mr. Valentine, the rules were suspended and the resolution adopted.

RECESS.

At eleven o'clock and forty minutes A. M., Speaker pro tem. Anderson declared a recess for five minutes.

REASSEMBLED.

At eleven o'clock and forty-five minutes A. M., the Assembly reconvened. Speaker pro tem. Anderson in the chair.

APPOINTMENT OF COMMITTEE.

Speaker pro tem. Anderson announced the following appointments, under the resolution calling for an investigation:

Messrs. Cosper (Chairman), Melick, Wade, La Baree, Lardner, Mead, and Sanford.

ANNOUNCEMENT.

The Speaker announced the arrival of the Senate, and the two Houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 16, 1899. }

The hour of twelve o'clock meridian having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchinger, Maggard, Morehouse, Nutt, Pace, Frisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—74.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, January 14, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, January 14, 1899, resulted in no election of a United States Senator, and declared that an election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Van R. Paterson—Senator Taylor—1.
For Abbot Kinney—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Van R. Paterson received	1 vote.
Abbot Kinney received	12 votes.
Thomas R. Bard received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Messrs Anderson and Wade—2.
For R. N. Bulla—Messrs Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Eugene Sullivan, and Wright—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Works—19.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.
For Abbot Kinney—Messrs Boone, Brooke, Burnett, Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	17 votes
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	19 votes.
G. A. Knight received	1 vote
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Abbot Kinney received	19 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	24 votes.
C. N. Felton received	1 vote
U. S. Grant, Jr., received	26 votes.
G. A. Knight received	2 votes

Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes
Abbot Kinney received	31 votes.
Thomas R. Bard received	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO ADJOURN.

Mr. McDonald of Alameda moved that the Joint Assembly do now adjourn.

Motion lost, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

<i>For W. H. L. Barnes</i> —Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.	
<i>For R. N. Bulla</i> —Senators Currier and Simpson—2.	
<i>For D. M. Burns</i> —Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.	
<i>For U. S. Grant, Jr.</i> —Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.	
<i>For G. A. Knight</i> —Senator Gillette—1.	
<i>For Van R. Paterson</i> —Senator Taylor—1.	
<i>For Stephen M. White</i> —Senators Ashe, Braunnhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.	
<i>For Thomas R. Bard</i> —Senators Flint and Howell—2.	

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received	7 votes
G. A. Knight received.....	1 vote.
Van R. Paterson received.....	1 vote.
Stephen M. White received.....	12 votes.
Thomas R. Bard received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

<i>For W. H. L. Barnes</i> —Messrs. Atherton, Clough, Knights, Knowland, Larnder, and Muentner—6.	
<i>For M. M. Estee</i> —Messrs. Anderson and Wade—2.	
<i>For R. N. Bulla</i> —Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.	
<i>For D. M. Burns</i> —Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Eugene Sullivan, and Wright—17.	
<i>For C. N. Felton</i> —Mr. Brown—1.	
<i>For U. S. Grant, Jr.</i> —Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, and Works—19.	
<i>For G. A. Knight</i> —Mr. Boynton—1.	
<i>For Irving M. Scott</i> —Mr. Dunlap—1.	
<i>For Van R. Paterson</i> —Mr. La Barea—1.	
<i>For Marion De Vries</i> —Mr. Brooke—1.	
<i>For Stephen M. White</i> —Messrs. Boone, Burnett, Cowan, Crowly, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.	

Whole number of votes cast by Assemblymen.....	74
W. H. L. Barnes received.....	6 votes.
M. M. Estee received.....	2 votes.
R. N. Bulla received.....	7 votes.
D. M. Burns received.....	17 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	19 votes.
G. A. Knight received.....	1 vote.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	18 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	110
Necessary to a choice.....	56
W. H. L. Barnes received.....	10 votes.
M. M. Estee received.....	2 votes.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	24 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	26 votes.
G. A. Knight received.....	2 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	30 votes.
Thomas R. Bard received.....	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Van R. Paterson—Senator Taylor—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
G. A. Knight received.....	1 vote.
Van R. Paterson received.....	1 vote.
Stephen M. White received.....	12 votes.
Thomas R. Bard received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muenster—6

For M. M. Estee—Messrs. Anderson and Wade—2.

For R. N. Bulla—Messrs. Belshaw, Courey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—18.

For C. N. Felton—Mr Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Works—20.

For G. A. Knight—Mr Boynton—1.

For Irving M. Scott—Mr Dunlap—1.

For Van R. Paterson—Mr. La Barce—1.

For Stephen M. White—Messrs. Boone, Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, F. D. Sullivan, Wardell, and White—17.

For Marion De Vries—Messrs. Brooke and Burnett—2.

Whole number of votes cast by Assemblymen.....	76
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	2 votes.
Stephen M. White received	17 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows :

Whole number of votes cast.....	112
Necessary to a choice	57
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
Marion De Vries received	2 votes.
Stephen M. White received	29 votes.
Thomas R. Bard received	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier and Simpson—2.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For G. A. Knight—Senator Gillette—1.

For Van R. Paterson—Senator Taylor—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12
For Thomas R. Bard—Senators Flint and Rowell—2.

Whole number of votes cast by Senators	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr, received	7 votes.
G. A. Knight received	1 vote.
Van R. Paterson received	1 vote.
Stephen M. White received	12 votes.
Thomas R. Bard received	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.

For M. M. Estee—Messrs. Anderson and Wade.

For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan and Wright—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Narvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Works—20.

For G. A. Knight—Mr. Boynton—1.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Mr. La Barea—1.

For Marion De Vries—Messrs. Brooke and Burnett—2.

For Stephen M. White—Messrs. Boone, Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—17.

Whole number of votes cast by Assemblymen	76
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr, received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	2 votes.
Stephen M. White received	17 votes.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	112
Necessary to a choice	57
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr, received	27 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
Marion De Vries received	2 votes.
Stephen M. White received	29 votes.
Thomas R. Bard received	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO ADJOURN.

At one o'clock and nine minutes P. M., Assemblyman Mead moved to adjourn.

On the question of adjournment, the roll call was demanded by Senators Simpson and Prisk and Assemblyman Johnson.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Boyce, Bulla, Chapman, Currier, Dickinson, Flint, Gillette, Jones, Langford, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Simpson, Smith, Taylor, and Trout—19.

NOES—Senators Ashe, Bettman, Braunhart, Burnett, Curtin, Cutter, Dwyer, Hall, Hoey, Laird, La Rue, Leavitt, Luchsinger, Shortridge, Sims, Stratton, and Wolfe—17.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs Anderson, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Cargill, Clark, Clough, Conrey, Cowan, Crowder, Dunlap, Hanley, Hoey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Miller of Los Angeles, Muenster, O'Brien, Pierce, Robinson, Sanford, Stewart, Valentine, Wade, Wardell, Works, and Mr. Speaker—39.

NOES—Messrs Arnerich, Barry, Beecher, Brooke, Brown, Burnett, Chynoweth, Cobb, Cosper, Crowley, Dale, De Lancie, Devoto, Dibble, Fairweather, Feliz, Greenwell, Griffin, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Lundquist, McKeen, Melick, Merrill, Milice, Miller of San Francisco, Radcliff, Rickard, Eugene Sullivan, E D Sullivan, and White—36.

ADJOURNMENT.

The Speaker of the Assembly announced the result as 58 in favor of adjournment and 53 against adjournment, and thereupon declared the Joint Assembly adjourned until twelve o'clock meridian of Tuesday, January 17, 1899.

IN ASSEMBLY.

REASSEMBLED.

At one o'clock and fifteen minutes P. M., the Assembly reconvened. Speaker Wright in the chair.

RECESS.

At one o'clock and twenty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and forty minutes P. M., the Assembly reconvened. Speaker pro tem. Anderson in the chair.

INTRODUCTION OF BILLS, ETC.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. E. D. Sullivan: Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first

class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Kelley: Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read first time, and referred to Committee on Judiciary.

By Mr. Arnerich: Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Kelsey: Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Stewart: Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties for the collection of taxes.

Read first time, and referred to Committee on Judiciary.

By Mr. Wardell: Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Read first time, and referred to Committee on Ways and Means.

By Mr. Melick: Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

Read first time, and referred to Committee on Ways and Means.

By Mr. Muentzer: Assembly Bill No. 250—An Act to amend Section 2608 of the Political Code of the State of California, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections 3609 and 3610; also, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

Read first time, and referred to Committee on Judiciary.

By Mr. Devoto: Assembly Bill No. 251—An Act to amend Section 1369 of the Code of Civil Procedure, relating to the appointment of administrators of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Conrey: Assembly Bill No. 252—An Act to pay the claim of E. M. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Read first time, and referred to Committee on Ways and Means.

By Mr. Crowder: Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School of San Diego.

Read first time, and referred to Committee on Ways and Means.

By Mr. Brooke: Assembly Bill No. 254—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III, of an Act of the Legislature of the State of California entitled 'An Act

to establish a Political Code,' approved March 12, 1872, and each and every section of said Chapter II of Title VI of Part III of said Code, and substitute the same in the place of said repeal chapter in said Code, relating to roads and highways," approved February 28, 1883, relating to roads and highways.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes.

Read first time, and referred to Committee on Judiciary.

By Mr. Raub: Assembly Bill No. 256—An Act to amend an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain act a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897, by amending Sections 2, 3, and 4 thereof, so as to provide for the improvement and protection of the navigable channels and harbors of this State.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract of land upon which the same was assessed), upon subsequent assessments.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 258—An Act to prevent the defrauding of livery stable proprietors and managers, and providing for the punishment thereof.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 259—An Act concerning the erection and construction of barbed-wire fences, and prescribing the penalty for the violation thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Dibble: Assembly Bill No. 260—An Act to amend an Act entitled "An Act to provide for the burial of ex-union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read first time, and referred to Committee on Judiciary.

By Mr. Works: Assembly Bill No. 262—An Act providing for the abandonment of operations by irrigation districts, and for the disorganization of the same upon the discharge of their outstanding obligations,

and for the sale of the property belonging to the same for the purpose of discharging any outstanding obligations.

Read first time, and referred to Committee on Judiciary.

By Mr. Marvin: Assembly Bill No. 263—An Act authorizing the location and sale of mining claims upon the public lands of this State.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Johnson: Assembly Bill No. 264—An Act making an appropriation to pay for the cleaning of the outer surface of the granite composing the lower story of the State Capitol at Sacramento, and requiring that such work be done under the direction of the Secretary of State.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial.

Read first time, and referred to Committee on Judiciary.

By Mr. Brooke: Assembly Bill No. 266—An Act to amend Section 726 of the Code of Civil Procedure, relating to the application of the proceeds of the sale of mortgaged premises.

Read first time, and referred to Committee on Judiciary.

By Mr. Burnett: Assembly Bill No. 267—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Read first time, and referred to Committee on Judiciary.

By Mr. Valentine: Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest bearing bonds, to be held in trust for the benefit of the State School Fund.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 269—An Act to amend Section 2 of an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 270—An Act authorizing and directing the transfer of \$40,000 from the Railway Tax Contingent Fund to the State School Fund, in compliance with the provisions of Section 3668 of the Political Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 271—An Act transferring the sum of \$80,000 from the General Fund to the Estates of Deceased Persons Fund.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 272—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year." To create the office of Expert to the Controller, and prescribing his compensation.

Read first time, and referred to Committee on Ways and Means.

By Mr. Arnerich: Assembly Constitutional Amendment No. 8—Proposition to amend Section 12 of Article XIII of the Constitution of the State of California.

By Mr. Works: Assembly Constitutional Amendment No. 9—Proposition to amend Section 1 of Article XIII of the Constitution of the State of California.

RESOLUTIONS.

By Mr. Devoto:

WHEREAS, The Supreme Ruler of the Universe, in His divine wisdom, has removed from this earthly sphere the Honorable Nelson Dingley, Jr.; and

WHEREAS, The Honorable Nelson Dingley, Jr., in his high position as a Representative in the National Congress, was ever the foremost in legislation affecting the progress and prosperity of the nation; therefore, be it

Resolved, That when the Assembly does this day adjourn, that it does so as a mark of respect to his memory.

On motion of Mr. Devoto, the resolution was adopted.

By Mr. E. D. Sullivan:

ASSEMBLY JOINT RESOLUTION NO. 5.

Resolution as to making upon the island of Molokoi a leper hospital for the care of all lepers in the United States

WHEREAS, There has been lately annexed to the United States a large island known as Molokoi, one of the Hawaiian Islands; and,

WHEREAS, There are within this State many unfortunates cursed with the dreadful disease of leprosy; and

WHEREAS, It is absolutely necessary that those so afflicted should be isolated in order that the health of the masses be not contaminated; and,

WHEREAS, The expense to our State and to the municipalities therein in maintaining separate hospitals and pest houses therein is very great and entirely unsatisfactory; and,

WHEREAS, Upon the said island of Molokoi there is a leper hospital, devoted entirely to the care and cure of lepers, and which island, on account of its locality and conditions, is peculiarly adapted for such purposes; therefore, be it

Resolved by the Senate and Assembly, jointly, That we hereby recognize the great necessity of having all those afflicted with leprosy confined within and upon the said island of Molokoi, both because of its isolated condition and equable climate, and also because it will be a great financial saving to our State and to the municipalities therein; and be it

Resolved, That we call upon our representatives in Congress to use every honorable effort to have every leper found within this State, or hereafter to be found herein, sent to the said island of Molokoi for care and treatment; and be it

Further resolved, That the Governor be requested to transmit these resolutions to our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

By Mr. Melick:

ASSEMBLY JOINT RESOLUTION NO. 6.

WHEREAS, The construction of the Nicaragua Canal would be of immense value to the people of the State of California, as it would afford greater protection to this coast in time of war, open new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises everywhere within our State, and largely tend to maintain old ones, greatly increase our population, and thus enhance our wealth and multiply our resources, and establish a shorter line of oceanic communication between the United States and its possessions in the Orient; and

WHEREAS, There is now pending in the Congress of the United States a measure providing for the construction of the Nicaragua Canal by, or under the auspices of, the United States Government;

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators in Congress be instructed, and our members of the House of Representatives of the United States be requested, to earnestly support the passage of this measure, and be it further

Resolved, That we favor the absolute ownership and control of the said Nicaragua Canal by the United States Government, if within the power of said Government to own and control the same;

Resolved. That His Excellency the Governor is hereby requested to forward to each of our Senators and Representatives in Congress a copy of this resolution.

Referred to Committee on Federal Relations.

MOTION.

Mr. Dibble moved that no member appointed on the Select Committee of Investigation be excused.

So ordered.

ADJOURNMENT.

At three o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 17, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Cargill, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, and Works—66.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Raw was granted leave of absence for the day, on motion of Mr. Belshaw.

READING OF JOURNAL.

Pending the reading of the Journal, the further reading was dispensed with.

SPECIAL ORDER.

Assembly Concurrent Resolution No. 6—Approving the charter of the consolidated City and County of San Francisco, a municipal corporation, in the State of California, voted for and ratified by the qualified voters of said city and county, at a special election held therein for that purpose on the 26th day of May, 1898.

On motion of Mr. Cobb, the same was continued and made the special order of the day for to-morrow.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate is in receipt of those certain communications from your honorable body, viz: A resolution, by Mr. Dibble, informing the Senate that the Assembly will meet in the Assembly Chamber with the Senate on Wednesday, January 11, 1899, at twelve o'clock noon, also, that a certain resolution, by Mr. Dibble, dated January 10th, noon, and pertaining to the same subject; also, a resolution informing the Senate of the action taken by the Assembly and the votes cast for candidates for United States Senator on January 10th—all of which communications have been forwarded to your honorable body through message from the Senate heretofore, acting under instruction of the Senate. I return said communications, as action has already been taken by both Houses.

F. J. BRANDON, Secretary of Senate.
By FRED L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following resolution:

Resolved, That the Secretary of the Senate be directed to return to the Assembly, Assembly Joint Resolution No. 3 and Assembly Concurrent Resolution No. 11, for correction.

And in accordance therewith, the same are returned

Also adopted: On January 14th, Assembly Joint Resolution No. 2—Relative to an appropriation by Congress for San Luis Breakwater.

Also: Assembly Concurrent Resolution No. 10—Relative to the retaining of one desk by the Commission for the Revision and Reform of the Law.

F. J. BRANDON, Secretary of Senate.
By FRED L. THOMAS, Assistant Secretary.

BILLS ENROLLED.

Assembly Joint Resolution No. 2 ordered to enrollment.

Assembly Concurrent Resolution No. 10 ordered to enrollment.

SENATE AMENDMENTS CONCURRED IN.

Mr. Dibble moved that the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 3:

Amend by striking out "requested" in lines 9 and 10, and inserting in lieu thereof "instructed."

Also: Amend lines 10 and 11 by striking out "instructed" and inserting in lieu thereof "requested."

Concurred in by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Beecher, Blood, Boone, Brown, Burnett, Clark, Clough, Cobb, Conrey, Cosper, Crowder, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marym, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, White, Works, and Mr. Speaker—58.

NOES—None.

REPORT OF COMMITTEE ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1899.

MR. SPEAKER: Your Judiciary Committee begs leave to report that they have had under consideration:

Assembly Bill No. 21—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds—and report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the

General Fund to the State School-Book Fund, and providing for its expenditure—and report the same back, and recommend its passage.

Also: Assembly No. Bill 117—An Act to amend Section 456, Civil Code—and report the same back, and recommend its passage.

JOHNSON, Chairman.

BILLS WITHDRAWN AND ORDERED ON FILE.

Assembly Bill No. 21 withdrawn on motion of the author.

Assembly Bill No. 139 ordered on second-reading file.

Assembly Bill No. 117 ordered on second-reading file.

REPORT OF COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 62—An Act appropriating money to pay the expenses of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries and traveling expenses of commission, and attachés—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 62 ordered on second-reading file.

SENATE MESSAGES.

Mr. Valentine moved that the Assembly do now return to Senate messages.

So ordered.

SENATE CHAMBER, SACRAMENTO, January 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 199—Amending Sections 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

CONSIDERATION OF BILL.

Senate Bill No 199—An Act to amend Section 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature.

Read first time, and referred to Committee on Attachés and Employés, with instructions to report back to-morrow.

Mr. Dibble moved that Senate Bill No. 199 be made special order for to-morrow immediately after consideration of Assembly Concurrent Resolution No. 6 (San Francisco charter).

So ordered.

REPORT OF COMMITTEE ON RULES—(OUT OF ORDER).

To the Speaker and Members of the Assembly.

Your Committee on Rules and Regulations have the honor to report that at a joint session of this committee and the Senate Committee on Rules and Revision, the following Joint Rules were formulated, and your committee now recommend that they be adopted by the House, and that they shall go into effect when adopted by both Houses.

JOINT RULES.

I.—JOINT ADDRESS TO GOVERNOR.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

II.—BILL OR RESOLUTION IN ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

III.—REJECTED BILL REQUIRES FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session, without notice of five days, and leave of two thirds of that House in which it shall be renewed.

IV.—EACH HOUSE TO TRANSMIT PAPERS.

Each House shall transmit to the other, papers on which any bill or resolution shall be founded.

V.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each House shall have once adhered to its disagreement, a bill or resolution shall be lost

VI.—NO APPROPRIATION EXCEPT BY BILL.

No appropriation of money, for any purpose whatever, shall be made except by bill.

VII.—JOINT AND CONCURRENT RESOLUTIONS.

Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

VIII.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

IX.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

X.—BILLS READ AND REFERRED TO COMMITTEE.

When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee

XI.—SPECIAL FILE.

After the first day of February, 1899, the Senate and Assembly shall adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly, and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p. m. of each day, and be considered one hour and a half after being so taken up.

This rule shall not be suspended in either House except by a two-thirds vote of such House.

XII.—FEES ALLOWED IN CASES OF CONTEST.

Whenever, in the Senate or Assembly, a contest is made for the seat of any Senator or Assemblyman, no more than \$200 shall be allowed as counsel fees for the sitting member and \$100 for the contesting member, regardless of who is seated.

XIII.—BILLS NOT TO BE PRINTED FOR ENGROSSMENT UNLESS AMENDED.

Unless bills have been amended they shall not be again printed for engrossment, but the Engrossing Clerk shall use a copy of original printed bill in an engrossed bill cover, and report same back immediately after comparing same.

XIV.—AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate, after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate Messages" or "Assembly Messages"), read the first time, and shall then be assigned to the proper committee, who shall report it within ten days, if received on or before January 25th, and within five days if received after January 25th, unless otherwise ordered by the Senate or Assembly.

XV.—CLERK TO RETURN BILL TO SENATE.

After a Senate bill has passed the Assembly, or has been refused passage by the Assembly, the Clerk of the Assembly shall, after making the proper indorsement thereon and the proper entries in the Register of Bills, return the bill to the Senate, and in the Assembly message, which must accompany same, mention the action taken by the Assembly.

XVI.—SECRETARY TO RETURN BILL TO ASSEMBLY.

After an Assembly bill has passed the Senate, or has been refused passage by the Senate, the Secretary of the Senate shall, after making the proper indorsements thereon and the proper entries in the Register of Bills, return the bill to the Assembly, and in the Senate message, which must accompany same, mention the action taken by the Senate.

XVII.—TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

XVIII.—WHEN AMENDMENTS ARE CONCURRED IN.

If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments, and the bill shall be ordered to enrollment.

XIX.—WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR.

If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments of the action taken, and ask that they recede from their amendments. If they refuse to recede, a Committee on Conference shall be appointed, consisting of six members, three to be appointed by the President of the Senate and three by the Speaker of the Assembly. The Committee on Conference shall report to both the Senate and Assembly.

XX.—COMMITTEE ON CONFERENCE.

In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective Houses.

XXI.—FREE CONFERENCE COMMITTEE.

If the Committee on Conference fail to agree, or either the Senate or Assembly refuse to adopt the report of the committee, it shall then be in order to appoint a Committee on Free Conference.

A Committee on Free Conference shall consist of six members, to be appointed in the same manner as a Committee on Conference.

The Committee on Free Conference are hereby empowered to suggest in their report any new amendments which they may adopt as a committee, but such amendments made by such committee shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment in either House, but the conferees may be discharged and other conferees appointed, or the report may be re-committed to the same conferees.

XXII.—WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

The presentation of report of Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate or Assembly is dividing, or during roll call; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed, and shall be determined without debate.

XXIII.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

When a message shall be sent from either House it shall be announced at the door by the Assistant Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

XXIV.—SECRETARY, CLERK, ETC., TO CARRY MESSAGES.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

XXV.—NOTICES TO BE ON PAPER, UNDER PROPER SIGNATURE

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

XXVI.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER

After a bill shall have passed both Houses, it shall be duly enrolled and carefully com-

pared by the Enrolling Clerk and Enrolling Committee of the Assembly, or of the Senate, as the bill may have originated, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

XXVII.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be reexamined by the Enrolling Committee of the House in which they originated, who shall compare the enrollment with the engrossed bill as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

XXVIII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

XXIX.—ENROLLING COMMITTEE TO PRESENT BILLS TO GOVERNOR.

After a bill shall have thus been signed in each House, it shall be presented by the Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

XXX.—DAILY HISTORY OF BILLS, ETC.

There shall be printed daily, by both the Senate and Assembly, a History of all bills, joint and concurrent resolutions, and constitutional amendments, which shall show the action taken by the House, up to the day preceding the publication of such History. A regular form shall be prescribed, and no other form shall be used.

XXXI.—SECRETARY AND CLERK TO KEEP REGISTER.

The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

XXXII.—SECRETARY AND CLERK SHALL INDORSE BILLS.

The Secretary of the Senate and Clerk of the Assembly shall indorse, on every original bill, a statement of any action taken by the Senate and Assembly.

XXXIII.—ADJOURNMENT *SINE DIE*.

An adjournment *sine die* shall only be made by concurrent resolution.

XXXIV.—DISPENSING WITH JOINT RULES.

No joint rule shall be dispensed with except by vote of two thirds of each House; and if either House shall violate a joint rule, a question of order may be raised in the other House and decided in the same manner as in the case of the violation of the rules of such House; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the House in which it originated, without further action. Or, at the option of such House, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as non-concurred in or negatived.

DIBBLE, Chairman.

RULES ORDERED PRINTED.

Mr. Dibble moved that the Joint Rules be printed in the Journal, and that they lay over one day.

So ordered.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to reserve solely for the use of the Judiciary Committee the courtroom of the Supreme Court, Department One.

Resolution adopted.

Also:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to purchase, for the

use of the Judiciary Committee, one set Deering's Codes, one Palm's Code Citations, one set Palm's Code slips one set Deering's California Digest, last edition.

Resolution adopted.
By Mr. Valentine:

Resolved, That the four bill files of the Assembly be and they are hereby instructed to gather the files for Assembly bills, Senate bills, and Assembly Journals from the desks of members immediately after adjournment on each day, and to arrange said bills and Journals in their respective files, and return the files so arranged to the desks of the members by nine o'clock A. M. on the succeeding day.

Resolution adopted.

RESOLUTION WITHDRAWN.

Mr. Griffin was granted unanimous consent to withdraw Assembly Concurrent Resolution No. 11, and introduce Assembly Joint Resolution No. 7.

ASSEMBLY JOINT RESOLUTION No. 7.

WHEREAS, The right of conservation and appropriation of the waters of the streams of the State for purposes of irrigation, under wise and judicious restrictions, and in such manner as to give an equitable distribution thereof, must be accorded; and

WHEREAS, Every foot of the great San Joaquin Valley, comprising the counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and Kern, with an area of over seven and one half millions of acres, might be irrigated from the waters of the Stanislaus, Tuolumne, Merced, Fresno, San Joaquin, Kings, and Kern rivers; and

WHEREAS, The physical and climatic conditions of this valley render it impossible to till the land successfully and with certainty without an artificial supply of water for irrigation thereof; and

WHEREAS, Much of the valley is too arid for cultivation without irrigation, and with water will produce abundantly of all the staple fruits and cereals, and would be worth vast sums of money, but without water produces nothing with certainty, and is comparatively valueless, and inasmuch as irrigation means population, progress, prosperity, and wealth to this valley, now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to take such action as shall result in an estimate of the cost of, by engineers of the Federal Government, and a proposal of a plan for the extent and circumstances of restraining works to confine and husband the waters of the Stanislaus, Tuolumne, Merced, Fresno, San Joaquin, Kings, and Kern rivers, where a dam or dams on each of them can be best located, the amount of water that may be utilized, and a secondary system of main irrigating canals leading therefrom, and tertiary distributing facilities, and such other necessary works as will provide for the sufficient irrigation of the whole valley of the San Joaquin, and to enable the valley to be divided into districts, and the amount of land that may be irrigated in each, and that following such report an appropriation may be made by Congress to defray the cost of the same;

Resolved further, That the Chief Clerk transmit by mail a copy of this resolution to each Senator and Congressman from California at Washington, D. C.

Read and referred to Committee on Irrigation.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Mead: Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Miller of San Francisco: Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Johnson: Assembly Bill No. 275—An Act to improve the public service of the State of California.

Read first time, and referred to Committee on Commissions and Public Expenditures.

Also: Assembly Bill No. 276—An Act entitled an Act defining the word "inebriety"; providing for the licensing of private inebriate hospitals, for the commitment of inebriates to such hospitals, and for other purposes.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Feliz: Assembly Bill No. 277—An Act to amend Section 636 of the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 278—An Act to amend Section 61 of the Civil Code, relative to marriage and divorce.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Rickard: Assembly Bill No. 280—An Act to amend and reenact Sections 2, 8, 9, 10, 11, 14, 15, 16, 17, 19, 20, 21, and 23 of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893, as amended by an Act entitled "An Act to amend Sections 2, 6, 11, 15, 17, and 18 of an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds,' " approved March 9, 1895.

Read first time, and referred to Committee on Judiciary.

By Mr. Melick: Assembly Bill No. 281—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893, and an Act amendatory thereof, approved March 9, 1897.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 282—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893, and an Act amendatory thereof, approved March 9, 1897.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Sanford: Assembly Bill No. 284—An Act appropriating \$7,500 for the construction of a wagon-road from Round Valley, Mendocino County, to Colusa County, and appointing a commissioner to superintend the construction and building of the same.

Read first time, and referred to Committee on Ways and Means.

RECESS.

At ten o'clock and forty minutes A. M., Speaker pro tem. Anderson declared recess till eleven o'clock and fifty minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened.

Speaker pro tem. Anderson in the chair.

The Speaker announced the arrival of the Senate, and the two houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 17, 1899. }

The hour of twelve o'clock meridian having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker pro tem. of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutler, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe.—36.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs: Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—75.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker pro tem. of the Assembly announced that the proceedings of the Joint Assembly of Monday, January 16, 1899, resulted in no election of a United States Senator, and declared that an election of Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Shortridge, and Wolfe—6.
For U. S. Grant, Jr—Senators Boyce, Jones, Maggard, Nutt, Smith, and Trout—6.
For G. A. Knight—Senator Gillette—1.
For Van R. Paterson—Senator Taylor—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators	34
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes
D. M. Burns received	6 votes.
U. S. Grant, Jr., received	6 votes.
G. A. Knight received	1 vote.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	12 votes.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6
For M. M. Estee—Messrs. Anderson and Wade—2.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cospier, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kennecally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17
For C. N. Felton—Mr. Brown—1
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milice, Radcliff, Raub, and Works—19.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1
For Van R. Paterson—Mr. La Barec—1.
For Marion de Vries—Messrs. Brooke and Burnett—2.
For Stephen M. White—Messrs. Boone, Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—17.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote
U. S. Grant, Jr., received	19 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote
Van R. Paterson received	1 vote.
Marion de Vries received	2 votes.
Stephen M. White received	17 votes.

The Speaker pro tem. of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	108
Necessary to a choice.....	55
W. H. L. Barnes received.....	10 votes.
M. M. Estee received.....	2 votes.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	23 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	25 votes.
G. A. Knight received.....	2 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes.
Marion De Vries received.....	2 votes.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	29 votes

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker pro tem. of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Shortridge, and Wolfe—6
For U. S. Grant, Jr.—Senators Boyce, Jones, Maggard, Nutt, Smith, and Trout—6
For G. A. Knight—Senator Gillette—1.
For Van R. Paterson—Senator Taylor—1.
For Stephen M. White—Senators Ashe, Braunnhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.
For Thomas R. Bard—Senators Flint and Rowell—2.

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G. A. Knight received.....	1 vote.
Van R. Paterson received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	12 votes

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Messrs. Anderson and Wade—2
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Mehck, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milice, Radcliff, Raub, and Works—19.
For G. A. Knight—Mr. Boynton—1.

For Irving M. Scott—Mr Dunlap—1.

For Van R. Paterson—Mr La Baree—1.

For Marmon De Vries—Messrs Brooke and Burnett—2.

For Stephen M. White—Messrs Boone, Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D Sullivan, Wardell, and White—17.

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D. M. Burns received	17 votes
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G. A. Knight received	1 vote
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	2 votes
Stephen M. White received	17 votes.

The Speaker pro tem. of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	108
Necessary to a choice	55
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R. N. Bulla received	9 votes.
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Marion De Vries received	2 votes
Thomas R. Bard received	2 votes.
Stephen M. White received	29 votes

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker pro tem. of the Assembly directed that the Joint Assembly do now proceed to another ballot:

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4

For R. N. Bulla—Senators Currier and Simpson—2

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Shortridge, and Wolfe—6.

For U. S. Grant, Jr.—Senators Boyce, Jones, Maggard, Nutt, Smith, and Trout—6

For G. A. Knight—Senator Gillette—1

For Van R. Paterson—Senator Taylor—1.

For Thomas R. Bard—Senators Flint and Rowell—2

For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number votes cast by Senators	34
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R. N. Bulla received	2 votes
D. M. Burns received	6 votes
U. S. Grant, Jr., received	6 votes
G. A. Knight received	1 vote.
Van R. Paterson received	1 vote.
Thomas R. Bard received	2 votes
Stephen M. White received	12 votes

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon

his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muenter—6.

For M. M. Estee—Messrs. Anderson and Wade—2.

For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milice, Radcliff, Raub, and Works—19.

For G. A. Knight—Mr. Boynton—1.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Mr. La Bree—1.

For Stephen M. White—Messrs. Cowan, Crowley, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

For Marion De Vries—Messrs. Brooke and Burnett—2.

Whole number of votes cast by Assemblymen	73
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	19 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Stephen M. White received	16 votes.
Marion De Vries received	2 votes.

The Speaker pro tem. of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	107
Necessary to a choice	54
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	23 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	25 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
Marion De Vries received	2 votes.
Thomas R. Bard received	2 votes.
Stephen M. White received	28 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO ADJOURN.

At one o'clock and fifty minutes P. M., Assemblyman Knowland moved to adjourn until Wednesday, January 18, 1899, at twelve o'clock meridian.

On the question of adjournment, the roll call was demanded by Senator Bettman and Assemblymen Johnson and Brooke.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Ashe, Boyce, Bulla, Burnett, Chapman, Cutter, Dickinson, Feeney, Flint, Gillette, Jones, Langford, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Simpson, Smith, and Trout—21.

NOES—Senators Bettman, Brauhart, Curtin, Doty, Dwyer, Hall, Hoey, Laird, La Rue, Luchsinger, Shortridge, Sims, Stratton, Taylor, and Wolfe—15.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Anderson, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Cargill, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Dunlap, Fairweather, Greenwell, Huber, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Muentner, Raub, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, and Wardell—43.

NOES—Messrs. Arnerich, Barry, Beecher, Brooke, Brown, Burnett, Cobb, Dale, Devoto, Dibble, Feliz, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Merrill, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, Eugene Sullivan, White, and Works—32.

ADJOURNMENT.

The Speaker pro tem. of the Assembly announced the result as 64 in favor of adjournment and 47 against adjournment, and thereupon declared the Joint Assembly adjourned until twelve o'clock meridian of Wednesday, January 18, 1899.

IN ASSEMBLY.

REASSEMBLED.

At one o'clock p. m., the Assembly reconvened.

Speaker pro tem. Anderson in the chair.

ADJOURNED.

At one o'clock and five minutes p. m., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,)
Wednesday, January 18, 1899. }

The Assembly met at nine o'clock and thirty minutes a. m., pursuant to adjournment.

Speaker pro tem. Anderson in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin,

McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr Speaker—77.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Raw was granted leave of absence for the day, on motion of Mr. Belshaw.

READING AND APPROVAL OF JOURNAL.

The Journal of Monday, January 16, 1899, was read and approved. Pending the reading of yesterday's Journal, the further reading was dispensed with.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1899

MR. SPEAKER: Your Committee on Attachés, having had under consideration Senate Bill No. 199, now have the honor to report the same back to the Assembly, and recommend that the same be considered in Committee of the Whole House.

LUNDQUIST, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, having had under consideration the resolution offered by Mr. O'Brien on the 11th of January, proposing to amend Rule XXVI of the Standing Rules, in Subdivision 18, by striking out the word "nineteen" and inserting in lieu thereof the word "twenty-one," have the honor to report favorably, and to recommend the adoption of said resolution and said amendment to Rule XXVI.

Also: Have the honor to report, and recommend, that Subdivision 26 of Rule XXVI, providing for a Committee on State Prisons and Reformatory Institutions, be amended so as to increase the membership of said committee from "seven" to "eight."

DIBBLE, Chairman

Adopted.

REPORT OF COMMITTEE ON INAUGURAL CEREMONIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1899.

MR. SPEAKER: Your Committee on Inaugural Ceremonies, to whom was referred the conduct of said ceremonies, in conjunction with the committee on behalf of the Senate, beg leave to report that they have approved bills therefor aggregating one thousand one hundred and ninety-four dollars and ninety-five cents (\$1,194 95), as follows:

Lieut. C. C. Dennis, Naval Battalion, transportation from San Francisco and return, and rations	\$275 00
Capt. T. C. Poulten, transportation of Company A, Fifth Infantry, from Oakland and return, and rations	329 00
Band	82 00
Salute	42 00
Wilson, carriages	80 00
Lafferty, carriages	30 00
Bell Conservatory Co., decorating desk	40 00
Brown, decorating flags	5 00
Breuner & Co, rent chairs	27 50
Six janitors, at \$6	36 00
Signal Corps, transportation from San Francisco and return, rations and horse hire	248 00
Total	\$1,194 95

That by the resolution appointing said committee the Assembly is to pay one half of said amount, and your committee recommend the adoption of the following resolution:

Resolved, That the Committee on Inaugural Ceremonies be and they are hereby

authorized to draw the sum of \$597 48, in payment of Assembly's proportion of the bills incurred by said committee, and the Controller is requested to draw his warrant for \$597 48, payable out of the Contingent Fund of the Assembly, in favor of William D. Knights, as chairman of the committee, on the part of the Assembly, on Inaugural Ceremonies, and the Treasurer is requested to pay the same.

KNIGHTS, Chairman.

Adopted.

REPORT OF SELECT INVESTIGATING COMMITTEE.

Resolved, That the chairman of the committee be instructed to report to the Speaker of the House that Assemblyman Mead refuses to act as a member of the Special Investigating Committee.

It is moved by Mr. Sanford, representing the minority, that Mr. Burnett be substituted for Mr. Mead as a member of the committee.

Mr. Speaker, you are hereby notified of the above action of the Special Committee of the Assembly, that you may take such action as shall be proper.

COSTER, Chairman.

Adopted, and Mr. Burnett appointed by Speaker pro tem. Anderson.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Joint Resolution No. 6—Relative to the construction of navy yards and ship-building

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary

Senate Joint Resolution No. 6 referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 16, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Your committee further respectfully recommends that a committee of three from the Senate be appointed to confer with a like committee of three from the Assembly for the purpose of determining upon and reporting the Joint Rules of the Senate and Assembly for the present term

In accordance with the above, the following Senators were appointed as such committee: Senators Bettman, Smith, and Pace.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

COMMITTEE APPOINTMENTS.

Mr. Dibble moved that a committee of three be appointed to act with a similar committee appointed by the Senate on Joint Rules.

So ordered.

The Speaker pro tem. appointed the following as such committee: Messrs. Dibble, Johnson, and Valentine.

Mr. Dibble moved to reconsider the action of the Assembly in empowering the Speaker pro tem. to appoint a committee on Joint Rules, that the appointment of said committee be canceled, and that the report of the Senate lie over for further consideration.

So ordered.

INTRODUCTION OF BILLS, ETC.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Melick: Assembly Bill No. 285—An Act allowing any County, City, or Town Treasurer to deposit public funds or moneys paid into his hands in incorporate State banks.

Read first time, and referred to Committee on Banks and Banking.

Also: Assembly Bill No. 286—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes; and authorizing the boards of trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Belshaw: Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the Chief Deputy Clerk, the Deputy Clerks, and Stenographer of the Clerk of the Supreme Court."

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a Chief Deputy Clerk, five Deputy Clerks, and one Stenographer of the Clerk of the Supreme Court.

Read first time, and referred to Committee on Ways and Means.

By Mr. Raub: Assembly Bill No. 289—An Act to amend Section 25 of an Act to establish a uniform system of county and township governments, approved April 1, 1897, relating to the powers of Boards of Supervisors.

Read first time, and referred to Committee on County and Township Governments.

By Mr. E. D. Sullivan: Assembly Bill No. 290—An Act creating a Board of State Charities, and prescribing its duties and powers.

Read first time, and referred to Committee on Commissions and Public Expenditures.

Also: Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Read first time, and referred to Committee on Corporations.

By Mr. Knowland: Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Wade: Assembly Bill No. 294—An Act to provide a uniform government and management of the State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Merritt: Assembly Bill No. 295—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add a new section to said Code, to be known as Section 1674, relating to public schools.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 296—An Act to amend Sections 435, 1595,

and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 297—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 298—An Act to amend Sections 1790 and 1791 of the Political Code, relative to City Boards of Examination.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs of children," approved March 29, 1878.

Read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Read first time, and referred to Committee on Public Morals.

By Mr. Miller of Los Angeles: Assembly Bill No. 301—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by amending Sections 1 and 2 thereof.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Conrey: Assembly Bill No. 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named in attending the joint meetings of the Normal School boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Read first time, and referred to Committee on Claims.

By Mr. Miller of San Francisco: Assembly Bill No. 304—An Act for the effectual prevention of cruelty to animals.

Read first time, and referred to Committee on Public Morals.

By Mr. Mead: Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 306—An Act amending the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and designated as Section 1408, making the expense of

giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Read first time, and referred to Committee on Judiciary.

By Mr. Fairweather: Assembly Bill No. 307—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams of this State, to locate the sites of dams in connection with such reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Read first time, and referred to Committee on Irrigation.

By Mr. Brown: Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Read first time, and referred to Committee on State Library.

By Mr. Johnson: Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic book cases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Read first time, and referred to Committee on State Library.

By Mr. Barry: Assembly Bill No. 310—An Act to amend Sections 18 and 31 of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 311—An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased; Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Read first time, and referred to Committee on Claims.

By Mr. Kennecally: Assembly Bill No. 312—An Act to amend Section 3107 of the Political Code, relating to the laying out and dedicating of cemeteries on public lands.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. O'Brien: Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Read first time, and referred to Committee on Judiciary.

By Mr. Feliz: Constitutional Amendment No. 10—Proposing to the people of the State of California the repeal of Section 12 of Article XIII of the Constitution of the State of California, relating to the levy and collection of an annual poll tax.

RESOLUTION WITHDRAWN.

Mr. Works was granted unanimous consent to withdraw Assembly Joint Resolution No. 3.

RESOLUTIONS.

By Mr. Works:

ASSEMBLY JOINT RESOLUTION No. 8.

WHEREAS, The United States Government has expended a large sum of money in the partial construction of a jetty at the mouth of San Diego Bay; and

WHEREAS, The growing importance of the commerce of the Pacific Coast in general, and of the City of San Diego in particular, demands that said jetty be completed; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be and they are hereby instructed, and our Representatives be and they are hereby requested, to use all honorable means to secure a sufficient appropriation for the completion of the Government jetty now partially constructed at the mouth of San Diego Bay;

Resolved further, That the Chief Clerk of the Assembly be and he is hereby instructed to mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

By Mr. Valentine:

Resolved, That \$15 additional be allowed the Committee on Ways and Means for stationery, to be obtained from the Secretary of State upon requisition signed by the chairman of said committee.

Adopted.

By Mr. Caminetti:

ASSEMBLY JOINT RESOLUTION No. 9

WHEREAS, The prompt construction of the Nicaragua Canal is of vital importance to our country, and calculated to foster the domestic and foreign commerce of the Republic; therefore, be it

Resolved by the Assembly, the Senate concurring, That we urgently request the Congress of the United States to enact laws and take the necessary steps required to provide for the construction of the Nicaragua Canal, to be owned and operated by the United States, thus affording a short water route between the Atlantic and Pacific shores, and quicker communication with foreign lands, at reasonable tolls and without discrimination;

Further resolved, That our Senators be instructed, and our Representatives in Congress requested, to use all honorable means to secure the immediate consideration and passage of laws to carry out the objects of the foregoing resolution; be it

Further resolved, That the Governor of the State of California telegraph a copy of these resolutions to the President of the Senate and Speaker of the House of Representatives of the United States, and mail a copy thereof to each member of the California delegation in Congress.

Read, and referred to Committee on Federal Relations.

SPECIAL ORDER.

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Approving the charter of the consolidated City and County of San Francisco, a municipal corporation in the State of California, voted for and ratified by the qualified voters of said city and county, at a special election held therein for that purpose, on the 26th day of May, 1898.

WHEREAS, The consolidated City and County of San Francisco, a municipal corporation, in the State of California, is now, and was at all the times herein referred to, a consolidated city and county containing a population of more than two hundred thousand inhabitants; and

WHEREAS, At a special municipal election, duly held in said city and county on the 25th day of December, 1897, in accordance with law and the provisions of Section 8 of Article XI of the Constitution of said State, a board of fifteen freeholders, duly qualified, was elected in and by said city and county, and by the qualified electors thereof, to prepare and propose a charter for said city and county; and

WHEREAS, The same was, on the 25th day of March, 1898, signed in duplicate by all the members of said board of fifteen freeholders, and was, on said day, returned, one copy thereof to the Mayor of said city and county, and the other to the County Recorder of said city and county; and

WHEREAS, Such proposed charter was then published in two daily newspapers of general circulation in said city and county of San Francisco, to wit: San Francisco Call and Daily Report, for more than twenty days, such publication in each instance having commenced within twenty days after the completion of said charter; and

WHEREAS, Said charter was, within not less than thirty days after the completion of said publication, submitted by the Mayor and Board of Election Commissioners of said City and County of San Francisco, to the qualified electors of said city and county at a special election, previously duly called and thereafter held therein, on the 26th day of May, in the year 1898; and

WHEREAS, The returns of said election were duly canvassed by the said Mayor and Board of Election Commissioners of said City and County of San Francisco; and

WHEREAS, At said election a majority of such qualified electors of said city and county, voting at such special election, did vote in favor of and ratify said charter so proposed; and

WHEREAS, Said Mayor and Board of Election Commissioners, after canvassing said returns, duly found and declared that a majority of such qualified electors voting at said special election had voted for and ratified said charter; and

WHEREAS, The same is now submitted to the Legislature of the State of California, for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of said State; and

WHEREAS, The said charter so ratified is in the words and figures following, to wit:

CHARTER PREPARED AND PROPOSED FOR THE CITY AND COUNTY OF SAN FRANCISCO

By the Board of Freholders elected December 27, 1897, in pursuance of the provisions of Section 8, Article XI, of the Constitution of the State of California.

ARTICLE I.

BOUNDARIES, RIGHTS, AND LIABILITIES

SECTION 1. The municipal corporation known as the City and County of San Francisco shall remain and continue a body politic and corporate, in name and in fact, by the name of the City and County of San Francisco, and by that name shall have perpetual succession; may sue and defend in all courts and places and in all matters and proceedings; may have and use a common seal and alter the same at pleasure; may purchase, receive, hold, and enjoy real and personal property; receive bequests, gifts and donations of all kinds of property, in fee simple, or in trust, for charitable and other purposes, and do all acts necessary to carry out the purposes of such gifts, bequests, and donations, with power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust

SEC. 2. The boundaries of the City and County of San Francisco are hereby declared to be those set forth in section thirty-nine hundred and fifty of the Political Code of California.

SEC. 3. The City and County of San Francisco shall continue, under this charter, to have, hold, and enjoy all property, rights of property, rights of action of every nature and description of the existing municipality, and is hereby declared to be the successor of the same.

SEC. 4. Suits, actions, and proceedings may be brought in the name of the city and county for the recovery of any property, money, or thing belonging thereto, in law or equity, or dedicated to public use therein, or for the enforcement of any rights of, or contracts with, the city and county, whether made or arising or accruing before or after the adoption of this charter. All existing suits, actions and proceedings in the courts or elsewhere, to which the city and county is a party, shall continue to be carried on by or against the city and county.

SEC. 5. No recourse shall be had against the city and county for damage or loss to person or property suffered or sustained by reason of the defective condition of any sidewalk, street, avenue, lane, alley, court or place, or by reason of the defective condition of any sewer, or by reason of any defective drainage, whether any of said defects originally existed, or whether they were occasioned by construction, excavation or embankment; nor shall there be any recourse against the city and county for want of repair of any sidewalk, street, avenue, lane, alley, court or place, or by want of repair of any sewer; nor shall there be any recourse against the city and county for damage to person or property suffered or sustained by reason of accident on any sidewalk, street, avenue, lane, alley, court or place, or by falling from any embankment thereon or into any excavation therein; but in any such case the person or persons on whom the law may have imposed the obligation to repair such defect in the sidewalk, street or public highway, or in the sewer, and also the officer or officers through whose official negligence such defect remains unrepaired shall be jointly and severally liable to the party injured for the damage sustained.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

Chapter I.—The Board of Supervisors.

SEC. 1. The legislative power of the City and County of San Francisco shall be vested in a legislative body, which shall be designated the Board of Supervisors. Such body is also designated in this charter, the Supervisors.

SEC. 2. The Board of Supervisors shall consist of eighteen members, all of whom shall hold office for two years and be elected from the city and county at large. Each one must be at the time of his election an elector of the city and county, and must have been such for at least five years next preceding his election. Each Supervisor shall receive an annual salary of twelve hundred dollars.

Every person who has served as Mayor of the city and county, so long as he remains a resident thereof, shall be entitled to a seat in the Board of Supervisors and to participate in its debates, but shall not be entitled to a vote nor to any compensation.

SEC. 3. A majority of all the members of the board shall constitute a quorum, but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as the board may prescribe.

SEC. 4. The board shall:

1. Appoint a clerk, sergeant-at-arms and, when authorized to do so by ordinance, such additional clerks and other assistants as may be deemed necessary.

2. Establish rules for its proceedings.

3. Keep a journal of its proceedings, and allow the same to be published. The ayes and noes shall on demand of any member be taken and entered therein.

4. Have authority to punish its members for disorderly or contemptuous behavior in its presence.

SEC. 5. The Mayor shall be the presiding officer of the Board of Supervisors. In the absence of the Mayor the board shall appoint a presiding officer pro tempore from its own members, who shall have the same right to vote as other members.

SEC. 6. The board shall meet on Monday of each week, or if that day be a legal holiday, then on the next day. The board shall not adjourn to any other place than to its regular place of meeting, except in case of great necessity or emergency. The meetings of the board shall be public.

SEC. 7. The clerk of the board, when requested to do so, shall administer oaths and affirmations, without charge, in all matters pertaining to the affairs of his office, and shall perform such services as may be prescribed by the board. He shall have the custody of the seal, and of all leases, grants and other documents, records and papers of the city and county. His signature shall be necessary to all leases, grants, and conveyances of the city and county.

SEC. 8. Every legislative act of the city and county shall be by ordinance. The enacting clause of every ordinance shall be in these words: "Be it ordained by the People of the City and County of San Francisco as follows." No ordinance shall be passed except by bill, and no bill shall be so amended as to change its original purpose.

SEC. 9. No bill shall become an ordinance, nor resolution be adopted, unless finally passed by a majority of all the members of the board and the vote be taken by ayes and noes and the names of the members voting for and against the same be entered in the journal.

SEC. 10. No ordinance shall be revised, reenacted or amended by reference to its title; but the ordinance to be revised or reenacted, or the section thereof amended, shall be reenacted at length as revised and amended.

SEC. 11. An ordinance shall embrace but one subject, which subject shall be expressed in its title. If any subject be embraced in an ordinance and not expressed in its title, such ordinance shall be void only as to so much thereof as is not expressed in its title.

SEC. 12. When a bill is put upon its final passage in the board and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be acted upon before the expiration of twenty-four hours after adjournment. No bill for the grant of any franchise shall be put upon its final passage within ninety days after its introduction, and no franchise shall be renewed before one year prior to its expiration. Every ordinance shall, after amendment, be laid over for one week before its final passage.

SEC. 13. Every bill or resolution providing for any specific improvement, or the granting of any franchise or privilege, or involving the lease, appropriation or disposition of public property, or the expenditure of public money, except sums less than two hundred dollars, or levying any tax or assessment, and every ordinance providing for the imposition of a new duty or penalty, shall, after its introduction, be published in the official newspaper, with the ayes and noes, for at least five successive days (Sundays and legal holidays excepted) before final action upon the same. If such bill be amended, the bill as amended shall be advertised for a like period before final action thereon. But in cases of great necessity the officers and heads of departments may, with the consent of the Mayor, expend such sums of money, not to exceed two hundred dollars, as shall be necessary to meet the requirements of such necessity.

SEC. 14. If any bill be presented to the Mayor containing several items appropriating money or fixing a tax levy, he may object to one or more items separately, while approving other portions of the bill. In such case he shall append to the bill at the time of

signing it a statement of the item or items to which he objects and the reasons therefor, and the item or items so objected to shall not take effect unless passed notwithstanding the Mayor's objection. Each item so objected to shall be separately reconsidered by the Board in the same manner as bills which have been disapproved by the Mayor.

Sec. 15. No ordinance shall take effect until ten days after its passage unless otherwise provided in such ordinance.

Sec. 16. Every bill and every resolution as hereinbefore provided, which shall have passed the board, and shall have been duly authenticated, shall be presented to the Mayor for his approval. The Mayor shall return such bill or resolution to the board within ten days after receiving it. If he approve it he shall sign it and it shall then become an ordinance. If he disapprove it he shall specify his objections thereto in writing. If he does not return it with such disapproval within the time above specified, it shall take effect as if he had approved it. The objections of the Mayor shall be entered at large in the journal of the board, and the board shall, after five and within thirty days after such bill or resolution shall have been so returned, reconsider and vote upon the same. If the same shall, upon reconsideration, be again passed by the affirmative vote of not less than fourteen members of the board, the presiding officer shall certify that fact on the bill or resolution, and when so certified, the bill shall become an ordinance with like effect as if it had been approved by the Mayor. If the bill or resolution shall fail to receive the vote of fourteen members of the board it shall be deemed finally lost. The vote on such reconsideration shall be taken by ayes and noes and the names of the members voting for and against the same shall be entered in the journal.

Sec. 17. All ordinances and resolutions shall be deposited with the clerk of the board, who shall record the same at length in a suitable book.

Sec. 18. No ordinance shall be repealed except by ordinance adopted in the manner hereinbefore set out, and such ordinance shall be presented to the Mayor for his approval as hereinbefore provided.

Sec. 19. Except as provided in Chapter III of Article III of this charter, all demands payable out of the treasury must, before they can be approved by the Auditor or paid by the Treasurer, be first approved by the Board of Supervisors. All demands for more than two hundred dollars shall be presented to the Mayor for his approval, in the manner hereinbefore provided for the passage of bills or resolutions. All resolutions directing the payment of money other than salaries or wages, when the amount exceeds five hundred dollars, shall be published for five successive days (Sundays and legal holidays excepted) in the official newspaper.

Sec. 20. Whenever there shall be presented to the Board of Election Commissioners a petition signed by a number of voters equal to fifteen per centum of the votes cast at the last preceding state or city and county election, asking that an ordinance to be set forth in such petition, be submitted to a vote of the electors of the city and county, the Board of Election Commissioners must submit such proposed ordinance to the vote of the electors at the next election.

The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

The tickets used in such election shall contain the words "For the Ordinance" (stating the nature of the proposed ordinance) and "Against the Ordinance" (stating the nature of the proposed ordinance).

If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the Board of Election Commissioners shall within thirty days from the time of such election, proclaim such fact; and upon such proclamation such ordinance shall have the same force and effect as an ordinance passed by the Supervisors and approved by the Mayor, and the same shall not be repealed by the Supervisors. But the Supervisors may submit a proposition for the repeal of such ordinance, or for amendments thereto, for vote at any succeeding election; and should such proposition, so submitted, receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly.

Sec. 21. Except as otherwise provided in the Constitution of the State, or as otherwise provided in this charter, every ordinance involving the granting by the city and county of any franchise for the supply of light or water, or for the lease or sale of any public utility, or for the purchase of land of more than fifty thousand dollars in value, must be submitted to the vote of the electors of the city and county at the election next ensuing after the adoption of such ordinance.

The tickets used at such election shall contain the words "For the Ordinance" (stating the nature of the proposed ordinance) and "Against the Ordinance" (stating the nature of the proposed ordinance).

If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the Board of Election Commissioners shall, within thirty days from the time of such election, proclaim such fact; and upon such proclamation such ordinance shall have the same force and effect as an ordinance passed by the Supervisors and approved by the Mayor.

No such franchise, or lease or sale of any public utility, or purchase of land, shall be of any force or effect except it be made by ordinance, and such ordinance be adopted by the people as in this section provided.

SEC. 22. Whenever there shall be presented to the Supervisors a petition signed by a number of voters equal to fifteen per centum of the votes cast at the last preceding state or municipal election, asking that an amendment or amendments to this charter, to be set out in such petition, be submitted to the people, the board must submit to the vote of the electors of the city and county the proposed amendment or amendments.

The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements made therein are true and that each signature to such paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

The Board of Election Commissioners must make all necessary provision for submitting the proposed amendment or amendments to the electors at a special election to be called by it, and shall canvass the vote in the same manner as in other cases of election.

All the provisions of the Constitution of the State embracing the subject in this section provided for are hereby expressly made applicable to such proposed amendment or amendments. But if at any time there shall be no constitutional provision or provisions under which this charter may be amended, then the aforesaid amendment or amendments must be submitted by the Board of Election Commissioners to the vote of the electors of the city and county at the election which next ensues after such petition is filed with the Supervisors, if any such election is not to be held within sixty days after the filing of such petition.

The tickets used at such election shall contain the words "For the Amendment" (stating the nature of the proposed amendment) and "Against the Amendment" (stating the nature of the proposed amendment).

If a majority of the votes cast upon such amendment or amendments shall be in favor of the adoption thereof, the Board of Election Commissioners shall, within thirty days from the time of such election, proclaim such fact, and thereupon this charter shall be amended accordingly.

Chapter II.—Powers of the Supervisors.

SECTION 1. Subject to the provisions, limitations and restrictions in this charter contained, the Board of Supervisors shall have power:

1. To ordain, make and enforce within the limits of the city and county all necessary local, police, sanitary and other laws and regulations

2. Except as otherwise provided in this charter, or in the Constitution of the State of California, to regulate and control for any and every purpose, the use of the streets, highways, public thoroughfares, public places, alleys, and sidewalks of the city and county.

3. To permit the laying down of railroad tracks and running cars thereon, along any street or portion of a street, for the sole purpose of excavating and filling in a street or portion of a street or the adjoining land, for such limited time as may be necessary for such purpose and no longer. Such tracks must be laid level with the street and must be operated under such restrictions as not to interfere with the use of such streets by the public

4. To empower street railway companies, under such conditions as the board may see fit to impose, to convey street sweepings and offal to the public parks.

5. To fix the limits within which wooden buildings or structures shall not be erected, placed or maintained, and to prohibit the same within such limits. Such limits when once established shall not be changed except by extension.

6. To provide for the abatement or summary removal of any nuisance and to condemn and to prevent the occupancy of unsafe structures.

7. To regulate the use of hackney carriages and public passenger vehicles, and to fix the rates to be charged for the transportation of persons or personal baggage.

8. To provide a public pound and to make all necessary rules and regulations in the matter of animals running at large, and for the custody and destruction of the same.

9. To provide and maintain a morgue.

10. To provide for places for the detention of witnesses and persons charged with insanity, separate and apart from places where criminals or persons accused of public offenses are imprisoned.

11. To establish, maintain and regulate, and change, discontinue and reestablish city and county jails, prisons and houses of detention, punishment, confinement and reformation, hospitals and almshouses

12. To purchase or acquire by condemnation such property as may be needed for public use.

13. Except as otherwise provided in this charter, to regulate and control the location and quality of all appliances necessary to the furnishing of water, heat, light, power, telephonic and telegraphic service to the city and county, and to acquire, regulate and control any and all appliances for the sprinkling and cleaning of the streets of the city and county, and for flushing the sewers therein.

14. To fix and determine by ordinance in the month of February of each year, to take effect on the first day of July thereafter, the rates or compensation to be collected by any person, company or corporation in the city and county, for the use of water, heat, light or power, supplied to the city and county, or to the inhabitants thereof, and to prescribe the quality of the service.

15. To impose license taxes and to provide for the collection thereof; but no license taxes shall be imposed upon any person who, at any fixed place of business in the city and county, sells or manufactures goods, wares or merchandise, except such as require permits from the Board of Police Commissioners as provided in this charter.

16. To prescribe fines, forfeitures and penalties for the breach of any ordinance; but no penalty shall exceed the amount of five hundred dollars or six months' imprisonment or both.

17. To fix the fees and charges for all official services not otherwise provided for in this charter.

18. To allow not to exceed two thousand five hundred dollars in any year for the celebration of the anniversary of our national independence, and not to exceed five hundred dollars in any year for the observance of Memorial Day.

19. To appropriate such sums as may be paid into the treasury from fines collected on conviction of persons charged with cruelty to animals, and to authorize the payment of the same or some part thereof to any society that shall efficiently aid in such convictions.

20. To provide for the payment of compensation to the interpreters appointed by the Judges of the Superior Court to interpret testimony in criminal cases in said court or the Police Court, or upon inquests and examinations. Such compensation shall not exceed one hundred dollars a month for each interpreter.

21. To offer rewards not exceeding one thousand dollars in any one instance for the apprehension and conviction of any person who may have committed a felony in the city and county, and to authorize the payment thereof.

22. To provide in the annual tax levy for a special fund to be used in the construction of a general system of drainage and sewerage.

23. To provide a seal for the city and county, and seals for the several departments, boards and officers thereof, and a seal for the Police Court.

24. To fix the hours of labor or service required of all laborers in the service of the city and county, and to fix their compensation; provided that eight hours shall be the maximum hours of labor in any calendar day, and that the minimum wages of laborers shall be two dollars a day.

25. To set apart as a boulevard or boulevards any street or streets, or portions of a street or streets, over which there is no existing franchise for any street railroad.

26. To construct or permit the construction of tunnels, under such rules and regulations as the board may prescribe.

27. To regulate street railroads, tracks and cars; to compel the owners of two or more of such roads using the same street for any distance not exceeding ten blocks to use the same tracks, and to equitably divide the cost of construction and expense of maintenance thereof between the owners; to fix, establish and reduce the fares and charges for transporting passengers and goods thereon; to regulate rates of speed, and to pass ordinances to protect the public from danger or inconvenience in the operation of such roads.

28. To allow any transcontinental or other railroad company having not less than fifty miles of road actually constructed and in operation to enter the city and county with its road and run its cars to the water front at the most suitable point for public convenience. No exclusive right shall be granted to any railroad company; and the use of all such rights shall at all times be subject to regulation by the Supervisors.

Every ordinance granting such right shall be upon the conditions that said company shall pave and keep in repair the street from curb to curb in such a manner and with such material as may from time to time be prescribed by the Supervisors, and that such company shall allow any other railroad company to use in common with it the same track or tracks, each paying an equal portion for the construction and repair of the tracks and appurtenances used by such railways jointly.

29. To convey lands in accordance with the provisions of the Act of the Legislature of the State of California, entitled "An Act to expedite the settlement of land titles in the City and County of San Francisco, and to ratify and confirm the acts and proceedings of certain of the authorities thereof," approved March 14, 1870.

30. To provide for the execution of all trusts confided to the city and county.

31. To transfer from one department of the city government vacant and unused lots of land to another department.

32. To provide for the lease of any lands now or hereafter owned by the city and county; but all leases shall be made at public auction to the highest responsible bidder at the highest monthly rent, after publication of notice thereof for at least three weeks. No lease shall be authorized except by ordinance passed by the affirmative vote of two thirds of the members of the board, and approved by the Mayor, and no lease shall be made for a longer period than twenty years.

33. To provide for the sale at public auction, after advertising for five days, of personal property unfit or unnecessary for the use of the city and county.

34. To provide for the purchase of property levied upon or under execution in favor of the city and county; but the amount bid on such purchase shall not exceed the amount of judgment and costs.

35. The Supervisors must appropriate annually to the Mayor thirty-six hundred dollars as and for a contingent fund, for which he need furnish no vouchers.

SEC. 2. The Supervisors shall constitute the Board of Equalization of the city and county. The Clerk of the Supervisors shall be Clerk of the Board of Equalization by virtue of his office.

SEC. 3. The Board of Supervisors shall appoint from its members a com-

mittee consisting of three to be denominated Finance Committee, and shall fill all vacancies in the committee. The committee shall investigate the transactions and accounts of all officers having the collection, custody or disbursement of public money, or having the power to approve, allow, or audit demands on the treasury; shall have free access to any records, books and papers in all public offices; shall have power to administer oaths and affirmations, and to examine witnesses, and compel their attendance before them by subpoena. The committee may at any time visit any of the public offices and make its examinations and investigations therein without hindrance.

The committee must, at least once in every six months, examine the official bonds of all city and county officers, and investigate the sufficiency and solvency of the sureties thereon, and report in writing the facts to the Mayor. Such report shall specify each bond with the sureties, and the amounts for which each surety is bound, and state whether or not they are sufficient and solvent. Upon such report the Mayor shall take such action as shall be necessary to protect the city and county, and may require new bonds when necessary, and he may suspend any officer till a sufficient bond is filed and approved.

SEC. 4. The Finance Committee shall have power, and it shall be its duty, to examine the records and examine and expert the books of account of all persons, companies or corporations that are required to pay a portion of their gross receipts into the treasury; and shall likewise, as an aid to the fixing of rates for furnishing water and light to the city and county and to the inhabitants thereof, have like power, and it shall be its duty, to examine the records and examine and expert the books of account of any and all persons, companies or corporations so furnishing water or light.

In the exercise of its functions, the concurrence of two members of the committee shall be deemed sufficient. The committee shall keep a record of its proceedings with the names of the witnesses examined and a substantial statement of the evidence taken. If, from the examination made by the committee, it shall appear that a misdemeanor in office, or a defalcation, has been committed by an officer, the committee shall immediately report to the Mayor, who if he approve the report, shall take such proceedings against such officer as are authorized by law, and may suspend him pending such proceedings. Any police officer shall execute the process and orders of the committee.

SEC. 5. No exclusive franchise or privilege shall be granted for laying pipes, wires or conduits.

SEC. 6. The Board of Supervisors shall have power to grant authority for a term not exceeding twenty-five years to construct and operate street railways upon, or over, or under, the streets or parts of streets of the city and county not reserved for boulevards or carriage driveways, upon the following conditions and in the following manner, and none other:

Upon application being made to the board for any such franchise, it shall by resolution determine whether such franchise or any part thereof should be granted, and at said time shall determine on what conditions the same shall be granted additional to those conditions provided in this chapter. After such determination, it shall cause notice of such application and resolution to be advertised in the official newspaper of the city and county for ten consecutive days. Such advertisement must be completed not less than twenty nor more than thirty days before any further action is taken by the board on such application. The advertisement must state the character of the franchise sought, the term of its proposed continuance, and the route to be traversed; that sealed bids will be received up to a certain hour on a day to be named in the advertisement; and a further statement that no bids will be received of a stated amount, but that all bids must be for the payment to the city and county in lawful money of the United States of a stated percentage of the gross annual receipts of the person, company or corporation to whom the franchise may be awarded, arising from its use, operation, enjoyment or possession.

Every bidder shall file with his bid a bond executed to the city and county, with at least two good and sufficient sureties to be approved by the Mayor in a penal sum prescribed by the Supervisors, and set forth in such advertisement, conditioned that such bidder will well and truly observe, fulfill and perform each and all of the conditions, terms and obligations of the franchise for which said application was made in case the same shall be awarded to him, and that in case of the breach of any of the conditions of such bond, the whole amount of the penal sum therein named shall be taken to be liquidated damages, and that as such shall be recoverable from the principal and sureties on such bond.

At the next regular session after the expiration of the time stated in such advertisement up to which such bids will be received, the board must open such bids and award the franchise to the person, company or corporation offering to pay the highest stated percentage of the gross receipts arising from the use, operation, possession or enjoyment of the franchise for which such application was made. But no award shall be made, nor any such application granted, unless the stated percentage offered to be paid for the franchise shall be at least three per centum of such gross receipts during the first five years of the period for which the franchise is to be granted, four per centum of the gross receipts during the next succeeding ten years, and five per centum of the gross receipts during the next succeeding ten years.

Except as in this section otherwise provided, bidding for such franchises must be in accordance with the provisions of this charter in relation to bids made to the Board of Public Works, so far as such provisions may be applicable. The Supervisors may reject any and all bids, and may refuse to grant a franchise for any part of the route

for which application was made. Every ordinance making such grant shall require the concurrence of three fourths of all the members of the Board of Supervisors, as shown by the ayes and noes, and the approval of the Mayor, and at least ninety days shall intervene between the introduction and final passage of any such ordinance. It shall require a vote of five sixths of all the Supervisors to pass the ordinance notwithstanding the objections of the Mayor.

If any bid be accepted, the franchise must be granted upon the express condition, in addition to the conditions required by this charter, and such other conditions as may be prescribed by the Supervisors, that the per centum of the gross receipts of the railway shall be paid into the treasury on or before the tenth day of the next ensuing month after such gross receipts shall have been earned; and upon the further condition that the whole of the railway shall be continuously operated, and that at the end of the term the road-track and bed of such railway and all its stationary fixtures upon the public streets, shall become the property of the city and county; and that the grantees will, within one hundred days after the date of such grant, commence the construction of such railway, and continuously thereafter, in each and every month until the completion thereof, expend in such construction at least the sum of three thousand dollars.

The failure to comply with any of said conditions shall work an immediate forfeiture of such franchise and the road or track constructed thereunder. There shall be no power in the Supervisors to relieve from such forfeiture or from any of said conditions. On or before the tenth day of each month after said receipts shall have been earned, the president and secretary of said railway company shall make and file with the clerk of the Board of Supervisors a sworn statement of the gross receipts of such railway for the preceding month.

In granting any such franchise the Board of Supervisors shall impose such other lawful conditions as it may deem advisable, and must expressly provide that the franchise shall not be renewed or regranted, and that the board shall at all times have the power to regulate the rates of fare to be charged by those using, operating, possessing or enjoying the franchise, and that the Finance Committee of the board shall at all times be permitted to examine and expert their books as to such gross receipts. All moneys received for such franchises and in payment of the said per centum shall be credited to the General Fund.

SEC 7. The Supervisors shall have no power to grant franchises or privileges to erect poles or wires for transmitting electric power or for lighting purposes along or upon any public street or highway of the city and county except upon all the conditions and in the manner, including competitive bidding and payment of a percentage of gross receipts, hereinbefore set out, and upon the further condition that the board shall at all times have the right to regulate the charges of any person, company or corporation suing, enjoying or possessing such franchise or privilege.

When, on the expiration of any street railroad franchise, it shall be deemed inexpedient by the board to use any of the property reverting to it by reason of such expiration in the operation of a street railroad, then the board shall have power to lease such property to any person, company or corporation, after the notice, on the terms, and in the manner above provided as to the granting of street railroad franchises, as far as the same may be applicable. But no ordinance authorizing such lease shall be passed prior to ninety days next preceding the expiration of such franchise.

Any ordinance granting a franchise or authorizing a lease under the provisions of this section shall be in force from and after the expiration of thirty days from the date of its signature by the Mayor, or from and after the expiration of thirty days from the date of its passage by the Supervisors over his objections, unless within said thirty days a petition signed by a number of the electors of the city and county equal to fifteen per centum of the votes cast at the last preceding election shall have been filed with the Supervisors, asking that said ordinance be submitted to the vote of the people. In such case said ordinance shall be submitted at the next election to the vote of the electors of the city and county, and unless said ordinance shall at said election receive in its favor a majority of the votes cast thereon it shall have no force or effect for any purpose. If a majority of the votes be in favor of such ordinance, the Board of Election Commissioners shall, on the conclusion of the canvass of the vote thereon, proclaim such fact, and upon such proclamation said ordinance shall have full force and effect as of the date aforesaid. Said petition and submission shall be made in accordance with the provisions of section twenty of Chapter 1 of this Article.

SEC 8 All claims for damages against the city and county must be presented to the Board of Supervisors and filed with the clerk within six months after the occurrence from which the damages are claimed to have arisen; otherwise there shall be no recovery on any such claim.

Chapter III.—Contracts.

SECTION 1. All contracts for goods, merchandise, stores, supplies, subsistence or printing for the city and county, as well as for all subsistence, supplies, drugs, and other necessary articles for hospitals, prisons, public institutions and other departments not otherwise specifically provided for in this charter, must be made by the Supervisors with the lowest bidder offering adequate security, after publication for not less than ten days in the official newspaper; and no purchase thereof or liability therefor shall be made or created except by contract.

Except as otherwise provided in this charter, the board must determine annually

what goods, merchandise, stores, supplies, drugs, subsistence and other necessary articles will be needed by the city and county for the ensuing year and it shall have no power to purchase or to pay for the same unless the provisions in this charter provided as to competitive bidding for supplies are strictly followed, and no contract shall be made for any of the same unless upon such competitive bidding.

All proposals shall be accompanied with a certificate of deposit or certified check on a solvent bank in the city and county of ten per centum on the amount of the bid, payable at sight to the order of the Clerk of the Supervisors. If the bidder to whom the contract is awarded shall for five days after such award fail or neglect to enter into the contract and file the required bond, the clerk shall draw the money due on such certificate of deposit or check and pay the same into the treasury; and under no circumstances shall the certificate of deposit or check or the proceeds thereof be returned to such defaulting bidder.

Notices for proposals for furnishing the aforesaid articles shall mention said articles in general and shall state that the conditions and schedule may be found in the office of the Clerk of the Board of Supervisors; and shall also state that such articles are to be delivered at such times, in such quantities, and in such manner, as the Supervisors may designate. Any bidder may bid separately for any article named. The award as to each article shall in all cases be made to the lowest bidder for such article, and where a bid embraces more than one article the Supervisors shall have the right to accept or reject such bid or the bid for any one or more articles embraced therein. In the case of contracts for subsistence of prisoners the advertisement for proposals shall specify each article required, the quality thereof, the quantity for each person, and the existing and probable number of persons to be supplied. No article or articles provided for in this section shall have been made in any prison. The Supervisors shall require bonds with sufficient sureties for the faithful performance of every contract. The Clerk of the Supervisors shall furnish printed blanks for all such proposals, contracts and bonds.

All bids shall be sealed and delivered by the bidder to the Clerk of the Supervisors, and opened by the board at an hour and place to be stated in the advertisement for proposals, in the presence of all bidders who attend, and the bidders may inspect the bids. All bids with alterations or erasures therein shall be rejected. All articles so supplied shall be subject to inspection and rejection by the Supervisors and by the person in charge of the office, institution or department for which the same are supplied. Every contract for work to be performed for the city and county must provide that in the performance of the contract eight hours shall be the maximum hours of labor on any calendar day, and that the minimum wages of laborers employed by the contractor in the execution of his contract shall be two dollars a day. Any contract for work to be performed for the city and county which does not comply with the provisions of this section shall be null and void, and any officer who shall sign the same shall be deemed guilty of misfeasance and upon proof of such misfeasance shall be removed from office.

SEC. 2. All contracts for official advertising shall be let annually in like manner by the Supervisors to the lowest responsible bidder publishing a daily newspaper in the city and county which has a bona fide daily circulation of at least eight thousand copies, and has been in existence at the time of letting such contract for at least two years. In inviting proposals therefor, such advertising shall not be classified and no proposal shall be acted upon which offers to do such advertising at different rates for different portions thereof.

Such advertising shall be construed to mean the advertising and publication of all official reports, orders, ordinances, messages, resolutions, notices inviting proposals and all notices of every nature relating to city work. No part or kind of such advertising shall be charged or contracted for at a higher rate than any other part or kind of the same is charged or contracted for, except in the case of the delinquent tax list.

The newspaper to which the award of such advertising is made shall be known and designated as the "official newspaper."

The advertising of the delinquent tax list shall be let to the lowest responsible bidder on a separate bidding from all other official advertising.

No board, department or officer shall make any publication which is not expressly authorized by this charter or by the Supervisors.

SEC. 3. The Clerk of the Supervisors shall annually, under the direction of the Supervisors, advertise for proposals for supplying the various departments, officers and offices of the city and county with all stationery and supplies in the nature of stationery, assessment books, minute books, blank books and the printing of blanks. The contracts for stationery shall be separate from those for printing.

Notice for proposals for supplies shall require a greater or less quantity to be delivered at such times and in such manner as the Supervisors may designate. The advertisement for bids for paper shall state the weight, quality and size of the various kinds required, and that for printing shall enumerate the various letter heads, tax bills, tax receipts, court notices, and all blanks, papers and documents now used or hereafter required in any and all departments of the city and county, including the forms, papers and blanks now used or hereafter required by the courts of the city and county.

The forms for all printing shall be consecutively numbered, and each form and blank shall be known as No. — (specifying the number). Such advertisement shall be published for at least ten days, and shall require the bidders to state the price at which each article will be furnished, printed or manufactured, as the same may be required from time to time during such period, and the amount of the bond that will be required as security for the performance of the contract.

No stationery furnished to any officer or department shall contain the name or names of the officer or officers constituting the head of the department or board. The contract or contracts must be made with the lowest bidder offering adequate security, quantity and quality being considered. The Clerk of the Supervisors shall have rooms in the City Hall for the custody of such stationery, and when purchased the same shall be delivered to him, and he shall issue and distribute the same to the various departments as required.

He shall keep accounts in detail, charging himself with all goods received, and crediting himself with the goods delivered upon order or requisition as hereinafter provided. When any of such supplies are required for any department, the Clerk of the Supervisors shall issue the same after the requisition for such articles has been made by the head of such department and approved by the Mayor.

All requisitions for printing shall be made in a similar manner. The clerk shall report monthly in writing to the Supervisors, in detail, the amount of all paper, blanks, books, stationery and printing ordered by and delivered to any department or officer.

SEC. 4. Any officer of the city and county, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies, at a higher price or rate than that proposed by any other bidder, or who shall favor one bidder over another, by giving or withholding information, or who shall willfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to that called for by the contract, or who shall knowingly certify to a greater amount of labor performed than has been actually performed, or to the receipt of a greater amount or different kinds of material or supplies than has been actually received, shall be deemed guilty of misfeasance and shall be removed from office.

SEC. 5 All contracts provided for in this chapter must be in writing and executed in the name of the city and county by the Mayor. All such contracts must be countersigned by the Clerk of the Supervisors, and registered by number and date in a book kept by him for that purpose. When a contractor fails to enter into the contract awarded to him or to perform the same, new bids must be invited and a contract awarded as provided herein in the first instance. When the Supervisors believe that the prices bid are too high, or that bidders have combined to prevent competition, or that the public interest will be subserved thereby, they may reject any and all bids, and cause the notice for proposals to be re-advertised.

SEC. 6 No contract for lighting streets, public buildings, places or offices, shall be made for a longer period than one year, nor shall any contract to pay for gas, electric light or any illuminating material at a higher rate than the minimum price charged to any other consumer, be valid. Demands for lighting public buildings shall be presented monthly to the board or department using or having charge thereof, and shall specify the amount of gas, electric light or illuminating material consumed in such building during the month.

ARTICLE III.

FINANCE AND TAXATION.

Chapter I.—Levying of Taxes.

SECTION 1 On or before the first Monday of April in each year the heads of departments, offices, boards, and commissions of the city and county shall send to the Supervisors an estimate, in writing, of the amount of expenditure, specifying in detail the objects thereof, required in their respective departments, offices, boards, and commissions, including a statement of the salaries of their subordinates. Duplicates of these estimates shall be sent at the same time to the Auditor.

SEC. 2 On or before the first Monday of May in each year the Auditor shall transmit to the Supervisors an estimate of the probable expenditures of the city and county government for the next ensuing fiscal year, stating the amount required to meet the interest and sinking funds for all outstanding funded debts, and the wants of all the departments of the municipal government in detail, and showing specifically the amount necessary to be apportioned to each fund in the treasury; also an estimate of the amount of income from fines, licenses, and other sources of revenue, exclusive of taxes upon property and the probable amount required to be levied and raised by taxation.

SEC. 3. The Supervisors shall meet annually between the first Monday of May and the first Monday of June, and by vote of a majority of all the members thereof make a budget of the amounts estimated to be required to pay the expenses of conducting the public business of the city and county for the next ensuing fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office, board, or commission as the Supervisors shall deem advisable.

Before finally determining upon the budget, the Supervisors shall fix such sufficient time or times as may be necessary to allow the taxpayers to be heard in regard thereto, and the Supervisors shall attend at the time or times so appointed for such hearing.

SEC. 4 Any item in said budget may, within ten days, be vetoed in whole or in part by the Mayor, and it shall require fifteen votes of the Supervisors to overcome such veto. Action thereon must be taken before the last Monday of June.

After the final estimate is made in accordance herewith, it shall be signed by the Mayor and the Clerk of the Supervisors, and the several sums shall then be appropriated for the ensuing fiscal year to the several purposes and departments therein named. The estimate shall be filed in the office of the Auditor.

Sec. 5. The Supervisors must cause to be raised annually according to law, and collected by tax, the amounts so appropriated, less the amounts received from fines, licenses and other sources of revenue.

Sec. 6. Except as otherwise provided in this charter, no money shall be drawn from the treasury unless in consequence of appropriations made by the Supervisors and upon warrants duly drawn thereon by the Auditor.

Sec. 7. No warrant shall be drawn except upon an unexhausted specific appropriation.

Sec. 8. The Supervisors may appropriate thirty-six thousand dollars a year for urgent necessities not otherwise provided for by law. No money shall be paid out of this appropriation unless authorized by a five-sixths vote of all the members of the Board of Supervisors and approved by the Mayor.

Sec. 9. It shall not be lawful for the Supervisors, or for any board, department, officer or authority having power to incur, authorize or contract liabilities against the treasury, to incur, authorize, allow, contract for, pay or render payable in the present or future, in any one month, any expenditure, demand or demands, against any appropriation, which, taken with all other expenditures, indebtedness or liability made or incurred up to the time in such month of making or incurring the same, shall exceed one twelfth part of the amount of the appropriation for the fiscal year.

When any board, department or officer having power to incur liabilities against the treasury shall make any agreement for obtaining supplies or having labor performed, such department, officer or board shall register such agreement by number and date, and all demands arising under such agreement shall be payable in the order of such registration. Such department, board or officer must inform the person with whom it is proposed to make such agreement of the amount of money available or likely to be available in the fund from which such demands are payable.

If, at the beginning of any month, any money remains unexpended in any appropriation which might lawfully have been expended during the preceding month, such unexpended sum or sums, except so much thereof as may be required to pay all unpaid claims upon such appropriation, may be carried forward and expended in any succeeding month of such fiscal year; but not afterwards, except in payment of claims lawfully incurred during such fiscal year. Appropriations provided to meet the expense of elections, for the support and maintenance of the Assessor's and Tax Collector's departments, and for urgent necessities, shall be exempt from the provisions of this section.

Sec. 10. No contracts made, the expense of whose execution is not provided by law or ordinance to be paid by assessments upon the property benefited, shall be binding or of any force, unless the Auditor shall indorse thereon his certificate that there remains unexpended and unapplied as herein provided, a balance of the appropriation or fund applicable thereto, sufficient to pay the estimated expense of executing such contract, as certified by the board or officer making the same. This provision shall not apply to work done, or supplies furnished, involving the expenditure of less than two hundred and fifty dollars, unless the same is required by law to be done by contract at public letting. The Auditor shall make such indorsement upon every such contract so presented to him, if there remains unapplied and unexpended such amount so specified by the officer making the contract, and thereafter shall hold and retain such sum to pay the expense incurred until the contract shall be fully performed. The Auditor shall furnish weekly to the head of each department a statement of the unexpended balances of the appropriation for his department.

Sec. 11. On or before the last Monday of June in each year the Supervisors shall levy the amount of taxes for city and county purposes required to be levied upon all property not exempt from taxation. The amount shall be sufficient to provide for the payment during the fiscal year of all demands upon the treasury authorized to be paid out of the same; but such levy, exclusive of the State tax and the tax to pay the interest and maintain the sinking funds of the bonded indebtedness of the city and county, and exclusive of the tax to pay for the maintenance and improvement of the parks, squares and public grounds of the city and county, shall not exceed the rate of one dollar on each one hundred dollars' valuation of the property assessed. The Supervisors in making the levy shall apportion the taxes to the several funds.

Sec. 12. In making the apportionment, the Supervisors shall take into account and apportion to the several funds the income and revenue estimated to arise during the fiscal year from licenses, fees and other sources; but the income to pay the interest on the bonded indebtedness and provide for the sinking funds shall always be provided for out of the tax on property.

Sec. 13. The limitation in section eleven of this chapter upon the rate of taxation shall not apply in case of any great necessity or emergency. In such case the limitation may be temporarily suspended so as to enable the Supervisors to provide for such necessity or emergency. No increase shall be made in the rate of taxation authorized to be levied in any fiscal year, unless such increase be authorized by ordinance passed by the unanimous vote of the Supervisors and approved by the Mayor. The character of such necessity or emergency shall be recited in the ordinance authorizing such action, and be entered in the Journal of the Board. Nothing in this section shall authorize

the incurring of liabilities against the treasury not allowed by law, or which cannot be paid out of the income and revenue provided, collected and paid into the proper fund as its proportion of the same for such fiscal year, or permit liabilities or indebtedness incurred in any one fiscal year to be a charge upon or paid out of the income or revenue of any other fiscal year.

SEC. 14 The Supervisors shall fix the amount of municipal revenues and provide for the collection thereof. They shall from time to time provide for the payment of the interest and principal of the bonds for which the city and county is liable.

SEC. 15 The Supervisors shall authorize the disbursement of all public moneys except as otherwise specifically provided in this charter.

SEC. 16 At the close of each fiscal year, if all demands against each fund have been paid or satisfied, and all disputed or contested demands finally adjudicated, the Supervisors shall direct the Treasurer to transfer all surplus moneys to a fund to be called the Surplus Fund, except such surplus moneys as are in the several interest and sinking funds, in the Common School Fund, in the Park Fund, the Library Fund, the Police Relief and Pension Fund, in the Firemen's Relief and Pension Fund, and in such other funds the disposition of whose surplus moneys is in this charter otherwise provided for.

Chapter II.—The Several Funds.

SECTION 1. The income and revenue paid into the treasury shall be at once apportioned to and kept in separate funds. It shall not be lawful to transfer money from one fund to another or to use the same in payment of demands upon another fund. The provisions of this section shall not apply to fees paid into the treasury and placed temporarily to the credit of the Unapportioned Fee Fund under the provisions of Chapter III of this article.

SEC. 2. The several funds in the treasury authorized by law at the time this charter takes effect, or provided for by this charter, shall continue therein so long as there shall be occasion therefor; and the moneys therein, or which may belong thereto, shall not be used for any purpose other than that for which the same were raised, except as otherwise provided in this charter.

The General Fund shall consist of moneys received into the treasury and not specially appropriated to any other fund.

The Park Fund shall consist of the moneys annually apportioned to said fund by virtue of the tax provided for in this charter for the maintenance, preservation, and improvement of the parks, squares, avenues, and public grounds of the city and county; of all moneys accruing from rents of buildings under the jurisdiction of the Park Commissioners; and of all moneys coming into the hands of said commissioners whether from donations or otherwise. Out of said fund shall be paid all the expenses of every kind for the preservation, maintenance, and improvement of the parks, squares, avenues, and public grounds of the city and county.

The Library Fund shall consist of the moneys annually apportioned to said fund by virtue of the tax provided for in this charter for the maintenance of library and reading-rooms, and the purchase of books therefor. Out of said fund shall be paid all the expenses necessary to the maintenance of such library and reading rooms and the purchase of books therefor.

SEC. 3 The Surplus Fund shall consist of the moneys remaining at the end of any fiscal year in any other funds (except the Common School Fund and the other funds by this charter otherwise expressly provided for) after all valid demands, indebtedness and liabilities against said funds incurred within such fiscal year have been paid and discharged, *provided*, that all disputed or contested claims payable out of such funds have been finally adjudicated.

The Surplus Fund shall be used for the purposes and in the order following:

1. In payment of any final judgment against the city and county.
2. In liquidation and extinguishment, under such regulations as the Supervisors may adopt, of any outstanding funded debt of the city and county.

3 To be carried over and apportioned among the funds and used in the ensuing fiscal year as part of the income and revenue thereof.

SEC. 4 The Special Deposit Fund shall consist of:

1. All moneys paid into court and deposited with the Treasurer by the County Clerk.

2. All moneys received by the Public Administrator and deposited by him with the Treasurer.

3. All moneys deposited with the Treasurer on special deposit.

The moneys in the Special Deposit Fund shall be paid out in the manner prescribed by law.

SEC. 5 Except as otherwise provided in this charter any moneys remaining at the end of any fiscal year in any interest and sinking fund or a fund provided by a special bond issue for a specific purpose, the Common School Fund, the Park Fund, the Library Fund, the Firemen's Relief and Pension Fund, Police Relief and Pension Fund, and the Public Building Fund shall be carried forward and apportioned to said respective funds for the ensuing fiscal year.

SEC. 6. Any demand against the treasury or against any fund thereof remaining unpaid at the end of the fiscal year for lack of money applicable to its payment, may be paid out of any money which may subsequently come into the proper fund from delinquent taxes or other uncollected income or revenue for such year. Such demands shall be paid out of such delinquent revenue, when collected, in the order of their registration.

SEC. 7. When there shall be to the credit of any sinking fund in the treasury a sum not less than twenty thousand dollars which may be applied to the redemption of any outstanding bonds to which such fund is applicable, which are not redeemable before their maturity, it shall be the duty of the Mayor, Auditor and Treasurer to advertise for thirty days, inviting proposals for the surrender and redemption of the bonds.

After such advertisement the money in such sinking fund, or such portion thereof as may be required therefor, shall be awarded to the person or persons offering to surrender said bonds for the lowest price. Upon such award, when duly audited, the Treasurer shall, upon the surrender of the bonds, pay the amount to the person or persons to whom the same was awarded. No bid for the surrender of any of the bonds shall be accepted, which shall require a greater sum of money for their redemption than the then worth of the principal and interest of the bonds, calculated with interest not exceeding four per centum per annum.

Chapter III.—The Custody of Public Moneys.

SECTION 1. All moneys arising from taxes, licenses, fees, fines, penalties, and forfeitures, and all moneys which may be collected or received by any officer of the city and county or any department thereof, in his official capacity, for the performance of any official duty, and all moneys accruing to the city and county from any source, and all moneys directed by law or this charter to be paid or deposited in the treasury, shall be paid into the treasury. All officers or persons collecting or receiving such moneys must pay the same into the treasury. No officer or person other than the Treasurer shall pay out or disburse such moneys, or any part thereof, upon any allowance, claim, or demand.

SEC. 2. Salaried officers shall not receive nor accept any fee, payment, or compensation, directly or indirectly, for any services performed by them in their official capacity, nor any fee, payment, or compensation for any official service performed by any of their deputies, clerks, or employes, whether performed during or after official business hours. No deputy, clerk, or employe of such officers shall receive or accept any fee, compensation, or payment, other than his salary as now or hereafter fixed by law, for any work or service performed by him of any official nature, or under color of office, whether performed during or after official business hours.

SEC. 3. Every fee, commission, percentage, allowance, or other compensation authorized by law to be charged, received, or collected by any officer for any official service, must be paid by the officer receiving the same to the Treasurer, in the manner herein provided.

SEC. 4. It shall be the duty of every officer authorized by law to charge, receive, or collect any fee, commission, percentage, allowance, or compensation for the performance of any official service or duty of any kind or nature, or rendered in any official capacity, or by reason of any official duty or employment, to deliver the same to the Treasurer at the expiration of each business day. The Treasurer shall thereupon deliver to such officer a receipt for the money so paid, which shall show the amount of money received, the day and hour when paid, the name of the officer paying the same, the nature of the service performed, and the name and official designation of the person by whom the service was performed; and like entries shall be made upon the stub of such receipt, which shall be kept by the Treasurer. The Treasurer shall place all such moneys in a fund to be designated the "Unapportioned Fee Fund," which is hereby created, and shall keep such fund as other funds in the treasury are kept, and shall be liable on his official bond for all money so received.

SEC. 5. The Auditor or other proper officer must prepare and deliver from time to time to the Treasurer, and to every officer authorized by law to charge any fee, commission, percentage, allowance, or compensation, for the performance of any official service or duty, as many official receipts as may be required, charging therewith the Treasurer or other officer receiving them. Such official receipts must be bound into books containing not less than one hundred such receipts, and numbered consecutively, beginning with number one in each class required for each officer for each fiscal year, and provided with a stub corresponding in number with receipt. When the books containing receipts are exhausted by the officer receiving them, he shall return the stubs thereof to the Auditor or other proper officer, in whose custody they shall remain thereafter.

SEC. 6. When a receipt as herein provided is issued by the Treasurer he must state therein the date of payment, the name of the person making the payment, the amount of such payment, the nature of the service for which the charge is made, and the name and official designation of the officer performing the service, and shall make corresponding entries on the stub of each receipt.

SEC. 7. When any receipt is issued by any officer other than the Treasurer as herein provided, he shall state therein the day and hour of the delivery to him of the Treasurer's receipt, the nature of the service therein described, and the amount charged therefor, and the name of the person by whom such receipt is delivered to him, and shall make corresponding entries on the stub to which such receipt is attached.

SEC. 8. On the first day of each month the Treasurer must make to the Auditor a report under oath of all moneys received by him during the preceding month, showing the date and number of the receipt on which the money was received, the amount of each payment, by whom paid, the nature of the service, and the name and official designation of the officer performing the service. At the same time, or oftener, if required by the Auditor, the Treasurer shall exhibit to the Auditor all official receipts received by him during the previous month, and all official receipts remaining in his hands, unused or not issued, at the close of business on the last day of the preceding month.

SEC. 9. On the first day of each month every officer authorized by law to charge any fee, commission, percentage, allowance or compensation, must make to the Auditor a report under oath of all official receipts issued by him during the preceding month, showing the date and number of each receipt, to whom issued, the nature of the service for which the charge was made, and the amount of such charge; and must at the same time, or oftener, if required, exhibit to the Auditor, or other proper officer, all the Treasurer's receipts deposited with him during the preceding month, and all receipts remaining in his hands, unused or not issued, at the close of business on the last day of each preceding month.

SEC. 10. Upon receiving the reports prescribed by sections eight and nine of this chapter, the Auditor shall examine and settle the accounts of each officer, and apportion such moneys to the fund or funds to which they are appropriated by law, and certify such apportionment to the Treasurer, who shall thereupon transfer from the "Unapportioned Fee Fund" the amounts so certified, and credit each fund entitled thereto with the proper amount so apportioned.

SEC. 11. Every officer who is by law allowed to charge and collect mileage for the service of process, or other like service, shall at the end of each month prepare and deliver to the Auditor a statement showing each process served, the title of the cause, the name of the deputy or other subordinate officer who made the service, the number of miles actually traveled in making such service, the exact day when such service was made, and between what hours of the day, and such statement shall be verified by the oath of such officer. The Auditor shall examine such statement, and issue his warrant upon the Treasurer for such amount of money as will reimburse such officer for his lawful expenses in making such service. Such warrant shall be paid by the Treasurer, without further approval, out of the "Unapportioned Fee Fund." No extra mileage shall be charged or allowed for service of two or more processes served on the same trip by the same deputy or deputies, except for extra mileage actually traveled in serving additional process. All mileage charged in violation of this section shall be disallowed by the Auditor, and all amounts disallowed for any reason shall be apportioned as other moneys in the "Unapportioned Fee Fund."

SEC. 12. When an officer, legally organized to employ a person other than one of his deputies or assistants at a stated compensation fixed by law, has employed such person, and in pursuance of such employment such person has rendered the service for which he was employed, such officer shall, at the end of each month, prepare and deliver to the Auditor a statement verified by the oath of such officer, showing the case or instance in which such service was performed, for whom performed, the name of the person so employed, by whom the service was performed, the amount of the charge therefor, the time actually employed in performing such service, and the dates of the beginning and ending of the period during which such person was so employed. The Auditor shall thereupon examine such statement, and if he finds the same correct, he shall audit and allow the verified demand of such person so employed and performing the service for the sum or sums so earned by him for such service, and the Treasurer shall pay such demand so audited and allowed, without further approval, out of the "Unapportioned Fee Fund."

SEC. 13. The demand of the Auditor for his monthly salary shall be audited and allowed by the Mayor. All other demands on account of salaries fixed by law, ordinance, or this charter, and made payable out of the treasury, may be allowed by the Auditor without any previous approval. All demands payable out of the Common School Fund must, before they can be allowed or paid, be previously approved by the Board of Education. Demands payable out of the treasury for salaries, wages, or compensation of deputies, clerks, assistants, or employés, in any office or department, must, before they can be audited or paid, be first approved in writing by the officer, board, department or authority under whom, or in which, such demand originated. All other demands payable out of any funds in the treasury, must, before they can be allowed by the Auditor, or recognized, or paid, be first approved by the department, board or officer, in which the same has originated, and in all such cases must be approved by the Supervisors.

Every demand against the city and county shall, in addition to the other entries and indorsements upon the same required by this charter show:

1. The ordinance or authorization under which the same was allowed.
2. The name of the board, department or authority authorizing the same.
3. The fiscal year within which the indebtedness was incurred.
4. The appropriation provided to meet the demand.
5. The name of the specific fund out of which the demand is payable.

Each demand shall have written or printed upon it a statement that the same can only be paid out of the income and revenue provided, collected and paid into the proper specific fund in the treasury for the fiscal year within which the indebtedness was incurred, and shall refer to Chapter II of this article, and be numbered with reference to the fund out of which it is payable.

SEC. 14. Whenever any person has, or has received, moneys or other personal property belonging to the city and county, or has been intrusted with the collection, management or disbursement of any moneys, bonds, or interest accruing therefrom, belonging to or held in trust by the city and county, and fails to render an account thereof to, and make settlement with, the Treasurer within the time prescribed by law; or, when no particular time is specified, fails to render such account and make such settlement, or who fails to pay into the treasury any moneys belonging to the city and

county upon being required to do so by the Auditor, within twenty days after such requisition, the Auditor must state an account with such person, charging twenty-five per centum damages, and interest at the rate of ten per centum per annum from the time of such failure.

A copy of such account in any suit therein is prima facie evidence of the things therein stated. In case the Auditor cannot for want of information state an account, he may in any action brought by him aver that fact, and allege generally the amount of money or other property which is due to or which belongs to the city and county. The City Attorney must prosecute all actions that may be brought under this section within ten days after notification by the Auditor.

Chapter IV.—Payment of Claims.

SECTION 1. The salaries and compensation of all officers, including policemen and employes of all classes, and all teachers in the public schools, and others employed at fixed wages, shall be payable monthly. Any demand upon the treasury accruing under this charter shall not be paid, but shall be forever barred by limitation of time, unless the same be presented for payment, properly audited, within one month after such demand became due and payable; or, if it be a demand which must be passed and approved by the Supervisors or Board of Education, or by any other board, then within one month after the first regular meeting of the proper board held next after the demand accrued; or, unless the Supervisors shall, within six months after the demand accrued as aforesaid, on a careful examination of the facts, resolve that the same is in all respects just and legal, and the presentation of it, as above required, was not in the power either of the original party interested or his agent, or the present holder; in which case they may by ordinance revive such claim; but it shall be barred in the same manner unless presented for payment within twenty days thereafter. No valid demand arising subsequent to the claim which may be revived as aforesaid shall be rendered invalid by reason of such revival exhausting the fund out of which subsequent claims might otherwise be paid. Such revived claim shall take rank as of the day of its revival.

ARTICLE IV.

EXECUTIVE DEPARTMENT.

Chapter I.—The Mayor.

SECTION 1. The chief executive officer of the city and county shall be designated the Mayor. He shall be an elector of the city and county at the time of his election, and must have been such for at least five years next preceding such time. He shall be elected by the people and hold office for two years. He shall receive an annual salary of six thousand dollars. He may appoint a secretary, who shall receive an annual salary of twenty-four hundred dollars; an usher, who shall receive an annual salary of nine hundred dollars; and a stenographer and typewriter, who shall receive an annual salary of nine hundred dollars. All of said appointees shall hold their positions at the pleasure of the Mayor.

SEC. 2. The Mayor shall vigilantly observe the official conduct of all public officers and the manner in which they execute their duties and fulfill their obligations. The books, records and official papers of all departments, officers and persons in the employ of the city and county shall at all times be open to his inspection and examination. He shall take special care that the books and records of all departments, boards, officers and persons are kept in legal and proper form. When any official defalcation or willful neglect of duty or official misconduct shall come to his knowledge, he shall suspend the delinquent officer or person from office pending an official investigation.

The Mayor shall from time to time recommend to the proper officers of the different departments such measures as he may deem beneficial to public interest. He shall see that the laws of the State and ordinances of the city and county are observed and enforced. He shall have a general supervision over all the departments and public institutions of the city and county, and see that they are honestly, economically and lawfully conducted, and shall have the right to attend the meetings of any of the boards provided for in this charter, and offer suggestions at such meetings. He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he may use and command the police force. If such police force is insufficient, he shall call upon the Governor for military aid in the manner provided by law, so that such riots, or tumults, may be promptly and effectually suppressed.

SEC. 3. The Mayor shall see that all contracts and agreements with the city and county are faithfully kept and fully performed. It shall be the duty of every officer and person in the employ or service of the city and county, when it shall come to his knowledge that any contract or agreement with the city and county, or with any officer or department thereof, or relating to the business of any office, has been or is about to be violated by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter. A willful failure to do so shall be cause for the removal of such officer or employé. The Mayor shall give a certificate on demand to any person reporting such facts and information that he has done so, and such certificate shall be evidence in exoneration from a charge of neglect of duty.

The Mayor must institute such actions or proceedings as may be necessary to revoke, cancel, or annul all franchises that may have been granted by the city and county to

any person, company, or corporation which have been forfeited in whole or in part or which for any reason are illegal and void and not binding upon the city. The City Attorney on demand of the Mayor must institute and prosecute the necessary actions to enforce the provisions of this section.

The Mayor shall have power to postpone final action on any franchise that may be passed by the Supervisors until such proposed franchise shall be ratified or rejected by a majority of the votes cast on the question at the next election.

SEC. 4. The Mayor shall appoint all officers of the city and county whose election or appointment is not otherwise specially provided for in this charter or by law. When a vacancy occurs in any office, and provision is not otherwise made in this charter or by law for filling the same, the Mayor shall appoint a suitable person to fill such vacancy, who shall hold office for the remainder of the unexpired term.

SEC. 5. The Mayor shall be president of the Board of Supervisors by virtue of his office. He may call extra sessions of the board, and shall communicate to them in writing the objects for which they have been convened; and their acts at such sessions shall be confined to such objects.

SEC. 6. When and so long as the Mayor is temporarily unable to perform his duties, a member of the board shall be chosen president pro tempore, who shall act as such Mayor. When a vacancy occurs in the office of Mayor, it shall be filled for the unexpired term by the Supervisors.

Chapter II.—The Auditor.

SECTION 1. The head of the Finance Department of the city and county shall be designated the Auditor. He shall be an elector of the city and county at the time of his election and must have been such for at least five years next preceding such time. He shall be elected by the people and hold office for two years. He shall receive an annual salary of four thousand dollars. The Auditor must always know the exact condition of the treasury and every demand upon it. He shall be in personal attendance at his office daily during office hours. He shall be the general accountant of the city and county, and shall receive and preserve in his office all accounts, books, vouchers, documents and papers relating to the accounts and contracts of the city and county, its debts, revenues and other financial affairs. He shall give information as to the exact condition of the treasury and of every appropriation and fund thereof, upon demand of the Mayor, the Supervisors, or any committee or members thereof.

SEC. 2. The Auditor shall appoint a Deputy Auditor, who shall possess the qualifications required of the Auditor, and who shall receive an annual salary of twenty-four hundred dollars. The Auditor may also appoint two assistant deputies, who shall each receive an annual salary of fifteen hundred dollars, and two clerks, who shall each receive an annual salary of twelve hundred dollars. He may employ such number of extra clerks during the time their services may be necessary for the lawful discharge of his official duties, as the Board of Supervisors may designate. Such extra clerks shall each receive a salary not to exceed one hundred dollars a month for the time they shall be actually employed. The Auditor shall be allowed to expend not exceeding eighteen hundred dollars a year for counsel and attorney's fees.

SEC. 3. The Auditor shall keep an account of all moneys paid into and out of the treasury, and the Treasurer shall pay no money out of the treasury except upon demands approved by the Auditor. Any ordinance or law providing for the payment of any demand out of the treasury or any fund thereof (whether from public funds or from private funds deposited therein) shall always be construed as requiring the auditing of such demand by the Auditor before the same be paid.

SEC. 4. He shall number and keep an official record of all demands audited by him, showing the number, date, amount, name of the original holder, on what account allowed, against what appropriation drawn, out of what fund payable, and if previously approved or allowed, by what officer, department or board it has been so approved or allowed. It shall be misconduct in office for the Auditor to deliver a demand with his official approval until this requirement shall have been complied with.

SEC. 5. The Auditor shall approve no demand unless the same has been allowed by every officer, board, department and committee required to act thereon.

SEC. 6. No demand shall be allowed by the Auditor in favor of any corporation or person in any manner indebted to the city and county, except for taxes not delinquent, without first deducting the amount of any indebtedness of which he has notice, nor in favor of any person having the collection, custody or disbursement of public funds, unless his account has been presented, passed, approved and allowed as herein required; nor in favor of any officer who has neglected to make his official returns or reports in the manner and at the time required by law, ordinance, or the regulations of the Supervisors; nor in favor of any officer who has neglected or refused to comply with any of the provisions of law regulating his duties, nor in favor of any officer or employé for the time he shall have absented himself without legal cause from the duties of his office during office hours. The Auditor must always examine on oath any person receiving a salary from the city and county touching such absence.

The Auditor may require any person presenting for settlement an account or claim for any cause against the city and county to be sworn before him touching such account or claim, and when so sworn, to answer orally as to any facts relative to the justice of such account or claim. Moneys placed in the Special Deposit Fund shall not be subject to the provisions of this section.

SEC. 7. Every demand upon the Treasurer, except the salary of the Auditor, must, before it can be paid, be presented to the Auditor, who shall satisfy himself whether

the money is legally due, and its payment authorized by law, and against what appropriation payable and out of what fund it is payable. If he allow it, he shall indorse upon it the word "allowed," with the name of the fund out of which it is payable, and the date of such allowance, and sign his name thereto. No demand shall be approved, allowed, audited or paid unless it specify each special item, date and amount composing it, and refer by chapter and section to the provisions of this charter authorizing the same.

Sec. 8. The Auditor shall keep a register of warrants, showing the funds upon which they are drawn, the number, in whose favor, for what service, the appropriation applicable to the payment thereof, when the liability accrued, and a receipt from the person to whom the warrant is delivered. He shall not allow any demand out of its order, nor give priority to one demand over another drawn upon the same specific fund, except for the purpose of determining its legality.

Chapter III.—The Treasurer.

SECTION 1. There shall be a Treasurer of the city and county, who shall be an elector of the city and county at the time of his election and who must have been such for at least five years next preceding such time. He shall be elected by the people and hold his office for two years. He shall receive an annual salary of four thousand dollars, which shall be in full compensation for all his services. He may appoint a chief deputy, who shall receive an annual salary of twenty-four hundred dollars; two assistant deputies, who shall each receive an annual salary of eighteen hundred dollars, and one clerk, who shall receive an annual salary of twelve hundred dollars.

Sec. 2. The Treasurer shall receive and safely keep all moneys which shall be paid into the treasury. He shall not lend, exchange, use, nor deposit the same, or any part thereof, to or with any bank, banker or person; nor pay out any part of such moneys, nor allow the same to pass out of his personal custody, except upon demands authorized by law or this charter, and after they shall have been approved by the Auditor. At the close of business each day he shall take an account of and enter in the proper book the exact amount of money on hand. At the end of every month he shall make and file with the Mayor and publish quarterly in the official newspaper a statement of the condition of the treasury, showing the amounts of receipts into and payments from the treasury, and on what account, and out of what fund. If he violate any of the provisions of this section, he shall be guilty of misconduct in office, and be liable to removal therefrom, and be proceeded against accordingly.

He shall keep the accounts belonging to each fund separate and distinct, and shall in no case pay demands chargeable against one fund out of moneys belonging to another. He shall be in personal attendance at his office each day during office hours. No fees of any kind shall be retained by him, but the same, from whatsoever source received or derived, shall be paid by him into the treasury.

Sec. 3. For the better security of the moneys in the treasury, there shall be provided a joint custody safe in which shall be kept the moneys of the city and county. Said safe shall have two combination locks, neither one of which alone will open the safe. The Treasurer shall have the knowledge of one combination and the Auditor of the other. The Auditor shall be joint custodian with the Treasurer of all funds in the joint custody safe; but shall have no control over them except to open and close the safe in conjunction with the Treasurer, when requested to do so in his official capacity, and shall not be held responsible on his official bond for any shortage which may occur in the treasury.

The gold shall be kept in bags containing twenty thousand dollars each, and the silver in bags containing one thousand dollars each. To each bag shall be attached a tag showing the nature and amount of coin contained therein. Each bag shall be sealed with the seal of each custodian.

There shall be kept in the safe a joint custody book, showing the amount and description of all funds in the safe, and whenever any amounts are withdrawn, the Auditor and Treasurer shall make the proper entry in the joint custody book and initial the same. If on account of sickness or urgent necessity the Auditor is unavoidably absent the Deputy Auditor shall perform his duties. The estimated amount of money required daily for the payment of demands against the treasury shall be taken from the joint custody safe and kept in another safe, and the money therein shall be balanced daily at the close of business hours.

Sec. 4. The Treasurer, on receiving any money into the treasury, shall make out and sign two receipts for the money. Such receipts shall be alike, except upon the face of one of them shall appear the word "original," and upon the face of the other shall appear the word "duplicate." Such receipts shall be numbered and dated, and shall specify the amount, on what account and from what person or officer received, and into what fund or on what account paid. The Treasurer shall enter upon the stubs of such receipts a memorandum of the contents thereof, and deliver the receipt marked "original" to the person or officer paying such money into the treasury, and forthwith deliver the receipt marked "duplicate" to the Auditor, who shall write upon its face the date of its delivery to him, and charge the Treasurer with the amount specified therein, and file the receipt in his office.

Sec. 5. No demand shall be paid by the Treasurer unless it specify each several item, date and amount composing it, and refer by title, date and section to the law, or ordinance or provision of this charter authorizing the same; but the allowance or approval of the Auditor, or of the Supervisors, or of any department, board or officer, of any demand which is not authorized by law or this charter, and which upon its face

appears not to have been expressly made payable out of the funds to be charged therewith, shall afford no warrant to the Treasurer for paying the same.

SEC. 6. Every lawful demand upon the treasury, audited and allowed as in this charter required, shall in all cases be paid upon presentation, if there be sufficient money in the treasury applicable to the payment of such demand, and on payment canceled with a punch, cutting the word "Canceled" therein, and the proper entry thereof made. If, however, there be not sufficient money so applicable, then it shall be registered in a book kept for that purpose by the Treasurer. Such register shall show the special number given by the Supervisors or other authority, and also by the Auditor to each demand presented, also when presented, the date, amount, name of original holder, and on what account allowed and against what appropriation drawn, and out of what specific fund payable. All demands shall be paid in the order of their registration. Each demand upon being so registered shall be returned to the party presenting it, with the indorsement of the word "Registered," and dated and signed by the Treasurer, but the registration of any demand shall not operate to recognize or make valid such demand if incurred contrary to any of the provisions of this charter.

Chapter IV.—The Assessor.

SECTION 1. There shall be an Assessor of the city and county, who shall be an elector of the city and county at the time of his election, and who must have been such for at least five years next preceding such time. He shall be elected by the people and hold office for four years. He shall receive an annual salary of four thousand dollars, which shall be in full compensation for all his services. He may appoint a chief deputy, who shall receive an annual salary of twenty-four hundred dollars; one cashier, who shall receive an annual salary of eighteen hundred dollars; six assistant deputies, who shall each receive an annual salary of eighteen hundred dollars; twenty-one clerks, who shall each receive an annual salary of twelve hundred dollars; and during four months of the year not more than one hundred clerks, who shall each be paid at the rate of not more than one hundred dollars a month during the time of their employment.

SEC. 2. The Assessor shall assess all taxable property within the city and county at the time and in the manner prescribed by the general laws of the State.

Chapter V.—The Tax Collector.

SECTION 1. There shall be a Tax Collector of the city and county, who shall be an elector of the city and county at the time of his election, and who must have been such for at least five years next preceding such time. He shall be elected by the people, and hold office for two years. He shall receive an annual salary of four thousand dollars, which shall be in full compensation for all his services. He may appoint one chief deputy, who shall receive an annual salary of twenty-four hundred dollars; one cashier, who shall receive an annual salary of twenty-four hundred dollars; fifteen deputies, who shall each receive an annual salary of fifteen hundred dollars; and extra clerks, who shall each be paid at the rate of not more than one hundred dollars a month during the time of their employment, but the total amount of payment for such extra clerks shall not exceed thirty-six thousand dollars a year.

SEC. 2. The Tax Collector must collect all licenses which may at any time be required by law or ordinance to be collected within the city and county. He shall be charged with all taxes levied upon real and personal property within the city and county, upon the final settlement to be made by him according to law, or this charter. He shall pay into the treasury, without any deduction for commissions, fees, or charges of any kind or on any account, the full amount of all taxes, assessments, and moneys received by him, and not previously paid over, including all moneys paid under protest, and money received for taxes paid more than once, and for street assessments. He shall also be charged with, and be debtor to the city and county for the full amount of all taxes due upon the delinquent tax list delivered to him for collection, unless it appear to the satisfaction of the Supervisors, expressed by resolution, that it was out of his power to collect the same by levy and sale of property liable to be seized and sold therefor.

SEC. 3. The Tax Collector may appoint an attorney to prosecute actions for the collection of delinquent taxes, and may agree on paying him as compensation therefor a stated percentage out of the amounts recovered; but such percentage shall in no case exceed fifteen per centum of the amounts recovered.

SEC. 4. He shall examine all persons liable to pay licenses, and see that licenses are taken out and paid for. In the performance of their official duties, he and his deputies shall have the same powers as police officers in serving process and making arrests. He may demand the exhibition of any license for the current term from any person, firm or corporation engaged or employed in the transaction of any business for which a license is required; and if such person, firm, or corporation shall refuse or neglect to exhibit such license, the same may be revoked forthwith by the Tax Collector.

SEC. 5. The Auditor shall from time to time deliver to the Tax Collector such city and county licenses as may be required, and sign the same and charge them to the Tax Collector, specifying in the charge the amounts thereof named in such licenses respectively and the class of licenses, and take receipts therefor, and the Tax Collector shall sign and collect the same. The Tax Collector shall once in every month, and oftener when required by the Auditor, make to the Auditor a report under oath of all licenses sold and on hand, and of all amounts paid to the Treasurer, and shall also in that

regard comply with the regulations which may be prescribed by the Supervisors. At the time of making such report, the Tax Collector shall exhibit to the Auditor all licenses on hand and the Treasurer's receipts for all moneys paid into the treasury.

Chapter VI.—The Coroner.

SECTION 1. There shall be a Coroner of the city and county, who shall be an elector of the city and county at the time of his election and who must have been such for at least five years next preceding such election. He shall be elected by the people and hold office for two years. He shall receive an annual salary of four thousand dollars. He shall perform such duties as may be prescribed by law or ordinance. He shall have the control and management of the morgue of the city and county, under such ordinances as the Supervisors may adopt.

SEC. 2. He may appoint an autopsy physician, who shall receive an annual salary of twenty-four hundred dollars; a chief deputy, who shall receive an annual salary of twenty-four hundred dollars; three assistant deputies, who shall each receive an annual salary of fifteen hundred dollars, a stenographer and typewriter, who shall receive an annual salary of eighteen hundred dollars; and a messenger, who shall receive an annual salary of nine hundred dollars.

Chapter VII.—The Recorder.

SECTION 1. There shall be a Recorder of the city and county, who shall be an elector of the city and county at the time of his election, and who must have been such for at least five years next preceding such election. He shall be elected by the people, and hold office for two years. He shall receive an annual salary of thirty-six hundred dollars. He may appoint a chief deputy, who shall receive an annual salary of eighteen hundred dollars; two assistant deputies, who shall each receive an annual salary of fifteen hundred dollars. He may also appoint as many copyists as he may deem necessary, who shall receive not more than eight cents for each one hundred words actually written; but no copyist shall be paid a greater compensation at this rate than amounts in the aggregate to one hundred dollars a month.

SEC. 2. The Recorder shall take into his custody and safely keep all books, records, maps and papers deposited in his office. Upon demand and payment of the fees prescribed therefor by law or by ordinance, he must furnish to any one applying therefor a copy of any such book, record, map or paper, certified under the hand and seal of his office. When any papers are presented for filing or recording, he or his deputies shall write on the margin of each paper so presented the number of folios, the amount paid for recording the same, and shall number consecutively all instruments and documents filed in his office. He shall also perform all other duties at the time and in the manner prescribed by the general laws of the State.

ARTICLE V.

LEGAL DEPARTMENT.

Chapter I.—The Superior Court Judges.

SECTION 1. The Judges of the Superior Court of the city and county may appoint not to exceed five interpreters of foreign languages, who shall act as such interpreters in criminal actions and proceedings in all the courts in the city and county, and in examinations before Coroner's juries.

SEC. 2. The stenographers in the criminal departments of the Superior Court shall each receive an annual salary not exceeding twenty-four hundred dollars, which shall be in full compensation for all services, including transcription and all stationery used by them.

Chapter II.—The City Attorney.

SECTION 1. There shall be an attorney and counselor of the city and county, who shall be styled City Attorney, and who shall receive an annual salary of five thousand dollars. He shall be elected by the people and shall hold office for the period of two years. He must be at the time of his election an elector of the city and county and qualified to practice in all the courts of this State, and he must have been so qualified for at least ten years next preceding his election, during five years of which he must have been an actual resident of the city and county. He shall devote his entire time and attention to the duties of his office.

SEC. 2. He must prosecute and defend for the city and county all actions at law or in equity, and all special proceedings for or against the city and county; and whenever any cause of action at law or in equity or by special proceedings exists in favor of the city and county, he shall commence the same when within his knowledge, and if not within his knowledge, when directed to do so by resolution of the Supervisors. He shall give legal advice, in writing, to all officers, boards and commissions named in this charter, when requested so to do by them, or either of them, in writing, upon questions arising in their separate departments involving the rights or liabilities of the city and county. He shall not settle or dismiss any litigation for or against the city and county under his control unless upon his written recommendation he is ordered to do so by the Mayor and Supervisors.

SEC. 3. He shall keep on file in his office all written communications and opinions given by him to any officer, board or department; the briefs and transcripts used in causes wherein he appears; and bound books of record and registry of all actions or proceedings in his charge in which the city and county is interested.

SEC. 4. He shall deliver all books and records, reports, documents, papers, statutes, law books and property of every description in his possession, belonging to his office, or to the city and county, to his successor in office, who shall give him duplicate receipts therefor, one of which he shall file with the Auditor.

SEC. 5. The City Attorney may appoint four assistants, the first of whom shall receive an annual salary of thirty-six hundred dollars; the second an annual salary of three thousand dollars; the third an annual salary of twenty-four hundred dollars, and the fourth an annual salary of eighteen hundred dollars. He may also appoint a chief clerk, who shall receive an annual salary of eighteen hundred dollars; an assistant clerk, who shall receive an annual salary of nine hundred dollars; a stenographer and typewriter, who shall receive an annual salary of nine hundred dollars; and a messenger, who shall receive an annual salary of nine hundred dollars. An officer of the Police Department shall be permanently detailed by the Chief of Police for the purpose of doing the detective work necessary in preparing and prosecuting the litigation of the office, who shall continue to serve on such detail during the pleasure of the City Attorney. The assistants and the chief clerk must each, at the time of his appointment, be qualified to practice in all the courts of this State, and must have been so qualified at least two years next preceding his appointment. The assistants, clerks, typewriter and messenger shall be appointed by the City Attorney, and shall hold their offices at his pleasure, and the specific duties of each shall be prescribed by him.

Chapter III.—The District Attorney.

SECTION 1. The District Attorney shall be elected by the people and shall hold office for two years. He shall be an elector of the city and county, and must at the time of his election be qualified to practice in all the courts of this State, and must have been so qualified for at least five years next preceding his election. He shall receive an annual salary of five thousand dollars.

SEC. 2. The District Attorney shall have all the powers conferred, and shall discharge all the duties imposed upon, the District Attorneys of counties by the general laws of this State, and in addition thereto shall attend, institute and conduct on behalf of the people, all prosecutions cognizable in the Police Court of the city and county. He shall draw all complaints and warrants in said Police Court, prosecute all forfeited recognizances therein, and all actions for the recovery of fines, penalties, and forfeitures accruing to the city and county; deliver receipts for money or property received in his official capacity, and file duplicates thereof with the County Treasurer, file with the Auditor on the first Mondays in January, April, July and October in each year, an itemized statement under oath showing all moneys received by him in his official capacity during the preceding three months; keep a register of his official business, in which must be entered a note of every action, whether criminal or civil, prosecuted officially by him, and of the proceedings therein; and give, when required, without fee, advice to the Board of Police Commissioners, the Chief of Police, the Board of Health and the Coroner, upon matters relating to the duties of their respective offices.

SEC. 3. He may appoint seven Assistant District Attorneys to aid him in the discharge of his official duties, three of whom shall act as prosecutors in the Superior Court, and shall each receive an annual salary of thirty-six hundred dollars and four of whom shall act as the prosecuting attorneys of the Police Court, and shall each receive an annual salary of twenty-four hundred dollars. When any of the assistants of the District Attorney acting as such prosecuting attorneys in the Police Court are not actually engaged in work connected with prosecutions therein, they shall be at the call of the District Attorney for any service connected with his department. The assistants must each, at the time of his appointment, be qualified to practice in all the courts of this State, and must have been so qualified for at least two years next preceding his appointment. The District Attorney may also appoint one chief clerk, who shall receive an annual salary of eighteen hundred dollars; one assistant clerk, who shall receive an annual salary of twelve hundred dollars; and one stenographer and typewriter, who shall receive an annual salary of nine hundred dollars.

SEC. 4. The District Attorney may, in the name of the city and county, bid for and purchase property at execution sales under judgments for the recovery of fines, penalties, or forfeitures accruing to the city and county.

Chapter IV.—The Public Administrator.

SECTION 1. The Public Administrator shall be elected by the people, and he shall hold office for two years. He shall have all the powers conferred, and shall discharge all the duties imposed upon the Public Administrators of counties by the general laws of this State, except as in this charter otherwise specifically provided. He shall be entitled to all such fees as may be allowed by law to the Public Administrators of the counties of the State in full compensation for all his services.

Chapter V.—The County Clerk.

SECTION 1. The County Clerk shall be elected by the people, and shall hold office for two years. He shall have all the powers conferred, and shall discharge all the duties imposed upon, the County Clerks of counties by the general laws of this State, and in addition thereto shall attend and act as Clerk of the Police Court, keep the dockets and registers thereof, and take charge of and safely keep all books, papers and records which

may be filed or deposited in his office pertaining to the Police Court. He shall receive an annual salary of four thousand dollars.

SEC. 2 To aid him in the discharge of his official duties, the County Clerk may appoint a chief register clerk, who shall receive an annual salary of twenty-four hundred dollars; a cashier, who shall receive an annual salary of eighteen hundred dollars; twelve court-room clerks for the Superior Court, who shall each receive an annual salary of fifteen hundred dollars, five register clerks, who shall each receive an annual salary of eighteen hundred dollars; ten assistant register clerks, who shall each receive an annual salary of fifteen hundred dollars; sixteen copyists, who shall each receive an annual salary of twelve hundred dollars; and four clerks for the Police Court, who shall each receive an annual salary of fifteen hundred dollars.

SEC. 3 For copies of papers furnished and certified by him, he shall charge not more than eight cents for each one hundred words. For certifying copies, which are not prepared by him, he shall be entitled to charge twenty-five cents, and also forty cents an hour for the time exceeding one hour necessarily occupied in comparing such copies. He must certify all papers presented to him which are copies of any document, paper or record, or portions thereof, in his custody.

Chapter VI.—The Sheriff.

SECTION 1 The Sheriff shall be elected by the people, and he shall hold office for two years. He shall receive an annual salary of eight thousand dollars, which shall be in full compensation for all official services required of him by law; but said salary shall be exclusive of the compensation received by him from the State for the delivery of prisoners to the State prisons, and insane persons to the State asylums for the insane. He shall have all the powers conferred, and shall discharge all the duties imposed upon, the Sheriffs of counties by the general laws of this State.

SEC. 2 He may appoint the following deputies and employes, who shall each respectively receive the following annual salaries:

One Under Sheriff, twenty four hundred dollars; one attorney, eighteen hundred dollars; one chief bookkeeper, eighteen hundred dollars, two assistant bookkeepers, fifteen hundred dollars; ten office deputies, fifteen hundred dollars; fourteen bailiffs, twelve hundred dollars; one chief jailer at branch jail number one, eighteen hundred dollars; ten jailers at branch jail number one, twelve hundred dollars; one superintendent of branch jails numbers two and three, eighteen hundred dollars; sixteen guards at branch jail number two, six hundred dollars; one matron at branch jail number three, nine hundred dollars; six guards at branch jail number three, six hundred dollars, one commissary to act for all jails, fifteen hundred dollars; one driver of van, nine hundred dollars; and one bookkeeper for all said branch jails, fifteen hundred dollars.

SEC. 3. The Sheriff may designate the services to be performed by his deputies.

Chapter VII.—The Justices' Courts.

SECTION 1. The Justices of the Peace shall each receive an annual salary of twenty-four hundred dollars, except the presiding Justice, who shall receive an annual salary of twenty-seven hundred dollars. They shall appoint a chief clerk, who shall hold office for two years, and receive an annual salary of twenty-four hundred dollars. The chief clerk may appoint five deputies, each of whom shall receive an annual salary of twelve hundred dollars.

Chapter VIII.—The Police Court.

SECTION 1. There is hereby created and established in and for the City and County of San Francisco a court to be known as the Police Court of the City and County of San Francisco. Said Court shall consist of four Judges, who shall be elected by the people and hold office for four years. They shall each receive an annual salary of thirty-six hundred dollars. They shall be electors of the city and county at the time of their election, and must have been such for at least five years next preceding such time. No person shall be eligible to the office of Judge of the Police Court who is not at the time of his election qualified to practice in all the courts of this State, and who has not been so qualified for at least five years next preceding his election. The court shall be divided into departments known as Department Number One, Department Number Two, Department Number Three, and Department Number Four. The Judges of such court may hold as many sessions of the court at the same time as there are Judges thereof. The Judges who shall be elected at the first election under this charter shall so classify themselves by lot that two of them shall go out of office in two years and two of them in four years.

They shall choose from their number a Presiding Judge, who shall serve for one year. The Presiding Judge shall assign the Judges to their respective departments; but any of the Judges may preside in any of the departments in the absence or inability of the Judge regularly assigned thereto.

The judgments, orders and proceedings of any session of the court held by any one or more of the Judges shall be equally effectual as if all the Judges had presided at such session.

SEC. 2. The Police Court of the City and County of San Francisco shall have:

First—Exclusive jurisdiction of all prosecutions for the violation of ordinances of the Board of Supervisors.

Second—Concurrent jurisdiction with the Superior Court of all other misdemeanors and of the examination of all felonies committed in the city and county.

Third—Said court, or any Judge thereof, shall have the same powers in all criminal actions, cases, examinations and proceedings as are now or may hereafter be conferred by law upon Justices of the Peace.

SEC. 3. Proceedings in said court shall be conducted in accordance with the laws of this State regulating proceedings in Justices' and Police Courts and appeals to the Superior Court; and said court, or any Judge thereof, shall have the same power in all criminal actions, cases and proceedings as are now or may be hereafter conferred by the general law of this State upon Justices of the Peace; *provided*, that:

First—No case shall be dismissed or fine imposed until the testimony for the prosecution shall be taken.

Second—Any defendant who neglects to file his statement on appeal within ten days after sentence shall lose his right to appeal, unless good cause for the delay be shown by affidavit. Press of business on the part of defendant's attorney shall not be deemed good cause for delay. Unless the District Attorney shall file amendments to the proposed statement on appeal within five days after the same shall have been filed and served, the proposed statement on appeal shall be the statement on appeal. The Judge before whom the case was tried shall settle the statement on appeal within five days after the District Attorney shall have filed his amendments to the proposed statement.

Third—Any person who shall solicit or importune any of said Judges, either before or after judgment, to dismiss a case, or mitigate a sentence, unless the same be done in open court, shall be guilty of a contempt of court.

Fourth—A complaint may be demurred to on the ground that it does not set forth the offense charged with such particularities of time, place, person and property as to enable the defendant to understand distinctly the character of the offense complained of, and the complaint may be amended by permission of the court after a demurrer is sustained.

Fifth—A defendant in custody shall have the right to be tried before a defendant on bail, and felonies shall be heard before misdemeanors.

Sixth—The Judges of said court shall try all cases as speedily as possible, and must refuse continuances after the first calling of a case for trial except upon affidavit showing good cause therefor.

Seventh—Other than lawfully authorized surety companies, no person shall be eligible to be a bondsman for any defendant on trial in the Police Court, or on appeal from a judgment therein, except he take an oath that the property specified in the undertaking is in the City and County of San Francisco, and that he is worth the amount specified exclusive of property exempt from execution, and exclusive of all demands for which he may become liable by reason of the forfeiture of any appeal or bail bonds for which he is surety.

SEC. 4. The District Attorney, either in person or by his assistants, must be present at the sessions of the court and attend to the prosecution of all cases coming before it, and make out all complaints and warrants for the arrest of persons charged with crime to be prosecuted in said court.

SEC. 5. The District Attorney shall appoint a warrant and bond clerk, who shall receive a salary of twenty-four hundred dollars a year, and three assistant warrant and bond clerks, each of whom shall receive a salary of fifteen hundred dollars a year. No person shall be appointed a warrant and bond clerk who is not at the time of his appointment qualified to practice in all the courts of this State. The warrant and bond clerk shall keep his office open continuously night and day for the transaction of business; shall draw complaints in actions in the Police Court, and approve the same with his written signature; shall have the custody of all bail bonds and appeal bonds taken in the Police Court; shall examine the sufficiency of every bail bond and appeal bond taken in the Police Court and make a return thereon, within forty-eight hours after such bond shall have come into his possession, in the following form:

"I, -----, Warrant and Bond Clerk of the City and County of San Francisco, have examined the within bond and find it good in law. I have examined the records of the City and County of San Francisco, and find the property, its owners and incumbrances herein described, to be correct according to said records. (Signed -- --, Warrant and Bond Clerk)".

The warrant and bond clerk shall indorse upon the bond the time when it was issued by him, or when it came into his possession. He may issue bail bonds and appeal bonds when the liability thereof does not exceed two thousand dollars, and order the discharge from custody of the persons for whom the bonds are issued, and he may take cash bail to the extent in any one case of one thousand dollars. He must account for and pay to the Treasurer all moneys received as bail in the manner that the County Clerk is required by law to account for and pay moneys received as fees. No clerk of the Police Court shall ever take bail or order the release of any one charged with an offense.

SEC. 6. In the matter of fixing bail and ordering the release of prisoners the warrant and bond clerk shall be subject to the Judges of the Police Court, and any violation of a valid order of any of said Judges shall be a contempt of court.

SEC. 7. For any failure to keep the office of the warrant and bond clerk open continuously he shall be immediately removed from office by the District Attorney or by the Mayor.

SEC. 8. It shall be a misdemeanor for any person other than a Judge of some court in the city and county, or other than said warrant and bond clerk, to receive bail money for defendants or to order their discharge.

SEC. 9. All demurrers to complaints, notices of motion, statements and bills of exception on appeal to the Superior Court, must be served upon the Assistant District Attorney acting in the department of the court in which the case is set for hearing, or heard or tried.

SEC. 10. The County Clerk shall be the clerk of the Police Court, and he must be present either in person or by deputy, at all sessions of the court in the departments thereof; call the daily calendar of the departments, and keep full and complete records of all cases in the court and the disposition made thereof by the court.

SEC. 11. The Police Judges may appoint not more than two competent stenographers, who shall attend the sessions of the court and take notes of all preliminary examinations made at the sessions, and transcribe into typewritten long-hand all evidence taken by either of them where the parties charged have been held for trial, and deliver one copy of the same to the clerk and one copy to the District Attorney. Each of such stenographers shall be paid for all his services, including transcription and all stationery used by him, an annual salary of twenty-four hundred dollars.

SEC. 12. The Mayor may, in writing, appoint any Justice of the Peace to act as Judge of the Police Court, or any department thereof, during the temporary absence or inability of the Judge to act.

SEC. 13. The Chief of Police shall cause to be made out and delivered to each of the clerks of the court at or before nine o'clock in the forenoon of each day a calendar of arrests in which the cases shall have been assigned to the departments of the court in accordance with the rules and regulations established by the Police Judges. The calendar shall state "the offense charged"; whether the defendant is "in custody" or "on bail"; "the amount of bail"; "whether cash or bond," and "the name of the arresting officer."

SEC. 14. The Chief of Police shall appoint one or more police officers to attend the sessions of the Police Court in each department thereof to preserve order and execute the orders of the court.

SEC. 15. The Police Judges shall adopt all necessary rules and regulations for conducting the business of the court.

SEC. 16. No attorney shall appear in said court to prosecute or defend persons charged with offenses unless at the time of his appearance he be qualified to practice law in all the courts of this State.

SEC. 17. The term of office of the Police Judges elected at the general election held in the year eighteen hundred and ninety-eight shall terminate at the hour of noon on the first Monday after the first day of January in the year nineteen hundred, and they shall at said time be succeeded by the Police Judges provided for in this chapter; and all proceedings pending in said court shall be transferred to the Police Court created under this charter, and the Judges elected as herein provided shall have and obtain jurisdiction of the same.

Chapter IX.—The San Francisco Law Library.

SECTION 1. The Supervisors must provide, fit up and furnish, with fuel, lights, stationery, and all necessary conveniences, attendants and care, rooms convenient and accessible to the judges and officers of the courts and of the municipal government sufficient for the use and accommodation of the San Francisco Law Library, established under an Act of the Legislature of this State entitled: "An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco," approved March 9, 1870. The Supervisors must appropriate, allow, and order paid out of the proper fund such sums as may be necessary for the purposes aforesaid; and all sums lawfully appropriated and expended pursuant hereto shall be paid out of the proper fund on demands duly audited, in the mode prescribed by this charter for auditing other demands upon the treasury. The County Clerk must pay monthly to the treasurer of the San Francisco Law Library such moneys as he shall collect under the Act referred to for the benefit of said law library.

ARTICLE VI.

DEPARTMENT OF PUBLIC WORKS.

Chapter I.—The Board of Public Works.

SECTION 1. There shall be a Department of Public Works under the management of three commissioners, who shall constitute the Board of Public Works, and who shall give all their time during official business hours to the duties of their office. The members of said board shall be appointed by the Mayor. Of those first appointed he shall appoint one for one year, one for two years, and one for three years. Each year thereafter he shall appoint for three years one person as the successor of the commissioner whose term of office expires in that year. All such appointments shall be so made that not more than one member shall at any one time belong to the same political party. No person shall be eligible for appointment as such commissioner unless he is, and has been for at least five years next preceding his appointment, an elector of the city and

county. Each of said commissioners shall receive an annual salary of four thousand dollars.

SEC. 2. Of the commissioners first appointed under this charter, one shall be designated by the Mayor to serve as president for one year. All subsequent presidents of the board shall be elected by the members thereof for terms to be fixed by said board. The president of the board shall in each case hold office until his successor has been elected or until his membership on the board expires.

SEC. 3. The board may appoint a secretary, who shall receive an annual salary of eighteen hundred dollars. The board may employ such clerks, superintendents, inspectors, engineers, surveyors, deputies, architects and workmen as shall be necessary to a proper discharge of their duties under this article, and fix their compensation; but no compensation to any of said persons shall be greater than is paid in the case of similar employments.

SEC. 4. The board shall establish all necessary rules and regulations for its government, and for the performance of its duties, and for the regulation and conduct of its officers and employes; and shall require adequate bonds from its officers and employes, except laborers, for the faithful performance of all their duties, in such sums as may be fixed by the Supervisors. Said bonds shall be approved by the Mayor and shall be filed in the office of the Auditor.

SEC. 5. The board shall hold regular meetings at least once each week at a place and time to be fixed by resolution entered on its minutes. No changes in place or time of regular meetings shall be made without a resolution passed at least two weeks before the time the change is to go into effect. Such special meetings may be held as the commissioners may deem necessary after notice of the same has been posted ten hours before the time of holding any such meeting. All meetings shall be public. No business shall be transacted at an adjourned meeting except such as may have been under, or proposed for, consideration at the meeting from which the adjournment was had. No business shall be transacted at a special meeting except that which is named in the notice of said meeting. Special meetings may be called by any member of the board. In every case where a power is exercised under this article by the board the vote thereon shall be taken by ayes and noes.

SEC. 6. The board shall keep and preserve a record of all its proceedings, and copies of all plans, specifications, reports, contracts, estimates, certificates, receipts, surveys, field notes, maps, plats, profiles, and of all papers pertaining to the transactions of the board. The secretary of the board shall keep a record of all its transactions, specifying therein the names of the commissioners present at all the meetings, and giving the ayes and noes upon all votes. The secretary shall post and publish all orders, resolutions, and notices as required in this chapter or which the board shall order to be posted or published. He shall perform such other duties as may from time to time be prescribed by the board.

SEC. 7. The board shall be the successor in office and shall have all the powers and perform all the duties of the Superintendent of Streets, Highways and Squares, of the New City Hall Commissioners, and of the commissions in existence at the time this charter goes into effect, for the opening, extending, widening, narrowing, straightening, closing or changing the grades of streets in the city and county.

SEC. 8. The board shall immediately after its organization take possession and have the custody and control of all maps, plats, surveys, field notes, records, plans, specifications, reports, contracts, models, machinery, instruments, tools, appliances, contract rights, privileges, books, documents and archives and other property belonging to the city and county, or which may be of value and importance to the city and county, and heretofore kept by or in the offices of the City and County Surveyor, the Superintendent of Public Streets, Highways and Squares, the Board of New City Hall Commissioners, and all commissions in existence at the time this charter goes into effect for the opening, extending, widening, narrowing, straightening, closing, or changing the grades of streets, and all other business and works pertaining to any of said offices or commissions.

SEC. 9. The Board of Public Works shall have charge, superintendence, and control, under such ordinances as may from time to time be adopted by the Supervisors:

1. Of all public ways, streets, avenues, lanes, alleys, places, courts, roads, highways, and boulevards now opened or which may hereafter be opened in the city and county; of the manner of their use; and of all work done upon, over, or under the same; and herein particularly the board shall have exclusive authority to prescribe rules and grant permits, in conformity with the ordinances of the Supervisors, for the moving of buildings through the streets thereof, and the building or placing of cellars or vaults under the streets or sidewalks, and of temporary fences enclosing areas upon the sidewalks; the laying down and construction of railroad tracks in the streets, the erection of telegraph and telephone poles, and poles for electric lighting, and the laying under the surface of the streets or sidewalks of telegraph or telephone wires, and wires for electric lighting and power; the construction of drains and sewers; the laying down and taking up of gas, steam, and water pipes, pneumatic or other tubes or pipes, and sewers and drains, and determining the location thereof; the using of the street, or any portion thereof, for the deposit of building material in front of a building during its construction or repair, or for any purpose other than such as ordinarily and properly belongs to the public from the dedication thereof to public use; and without such permission, in writing, from said board no person shall do any of the acts in this section

enumerated; but nothing in this section shall be so construed as to give said board the power to grant permits for or allow the permanent encroachment upon any sidewalk of any structure;

2. Of all sewers, drains, and cesspools, and of the work pertaining thereto or to the drainage of the city and county.

3. Of the cleaning and sprinkling of all public streets, avenues, alleys, places, courts, roads, highways, and boulevards, and the lighting of the same, and the lighting of the parks, squares, and other public places and public buildings,

4. Of the cleaning of all the public buildings of the city and county and of the appointment of such janitors and employes as are needed for such purpose;

5. Of the supervision of any and all building construction in the city and county;

6. Of the construction of any and all public buildings and structures, under plans duly approved by the various departments, including all school-houses and fire department buildings, and the repair and maintenance of any and all buildings and structures owned by the city and county;

7. Of any and all wires and conduits, the collection and disposal of street refuse, garbage and sewage, and the designing, construction, and maintenance of the sewerage and drainage systems of the city and county;

8. Of any and all public utilities owned, controlled, or operated by the city and county, or which may hereafter be so owned, controlled, or operated.

9. When at any time any person, company or corporation desires to have opened or torn up the roadway of any street, lane, alley, place or court in the city and county for any purpose, a written application shall be made to the Board of Public Works for permission to do so. The board shall thereupon make an estimate of the expense of opening or tearing up such street, lane, alley, place or court and of restoring the same to as good a condition as it was in before said opening or tearing up. Such person, company or corporation must thereupon deposit the amount of such estimate with the Board of Public Works, which shall thereupon pay the same into the General Fund.

The board shall thereupon proceed to open or tear up said street, lane, alley, place or court as in said application requested, and shall at the proper time restore such street, lane, alley, place or court to as good a condition as it was in before said opening or tearing up. Contracts for the doing of such work by the board may be let by it in the manner provided in this chapter, or the work may, at the option of the board, be done by days' labor.

If the expense of such work has been more than the aforesaid estimate, the person, company or corporation shall be indebted to the city and county for such balance; and the same shall constitute a lien upon the property of such person, company or corporation. Said lien shall remain in force until such balance has been paid, or until the lien shall be legally discharged. Said lien may be enforced by suit brought by the city and county in accordance with the provisions of the Code of Civil Procedure of the State of California. If the expense of such work has been less than the aforesaid estimate, then the surplus shall constitute a claim in favor of such person, company or corporation, against the city and county, and as such shall be presented, approved and paid as other claims.

Sec. 10. All examinations, plans and estimates required by the Supervisors in connection with any public improvements or utilities, shall be made by the Board of Public Works, and it shall, when requested to do so, furnish information and data for the use of the Supervisors.

Sec. 11. Said board shall appoint a civil engineer of not less than five years' practical experience as such, who shall be designated the City Engineer. He shall hold his office at the pleasure of the board.

He shall perform all the civil engineering and surveying required in the prosecution of the public works and improvements done under the direction and supervision of said board, and shall certify to the progress and completion of the same, and do such other surveying or other work as he may be directed to do by said board or by the Supervisors. He shall possess the same power in the city and county in making surveys, plats and certificates as is or may from time to time be given by law to City Engineers and to County Surveyors, and his official acts and all plats, surveys and certificates made by him shall have the same validity and be of the same force and effect as are or may be given by law to those of City Engineers and County Surveyors. No street assessment shall be valid without his certificate as to the quantities and unless it be to the effect that the work has been done to the official lines, elevations and grades.

Sec. 12. He shall serve the board exclusively and shall not be engaged in any other business while he is in its service. He shall receive no compensation except his salary. The board shall by resolution establish fees and charges for the services to be performed by the City Engineer for persons, companies and corporations, and may from time to time change and adjust the same. Said Engineer shall require such fees or charges to be paid in advance for any official act or service demanded of him, and such moneys thus paid shall be paid to the Treasurer and credited by him to such fund or funds as said board may direct.

Sec. 13. The board shall appoint the necessary heads of departments under its charge. Each such head shall have the sole executive control in his own department, subject to the rules and regulations prescribed by the board.

Sec. 14. All public work authorized by the Supervisors to be done under the supervision of the Board of Public Works shall, unless otherwise determined by the Board of Public Works, be done under written contract, except in case of urgent necessity as

hereinafter provided; and except as otherwise specifically provided in this charter, the following proceedings shall be taken in all cases in the matter of the letting of contracts by said board: Before the award of any contract for doing any work authorized by this article, the board shall cause notice to be posted conspicuously in its office for not less than five days, and published for the same time, inviting sealed proposals for the work contemplated; except, however, that when any repairs or improvement, not exceeding an estimated cost of five hundred dollars, shall be deemed of urgent necessity by the board, such repairs or improvement may be made by the board under written contract or otherwise, without advertising for sealed proposals.

SEC. 15. Said advertisement and notice shall invite sealed proposals to be delivered at a certain day and hour at the office of the board for furnishing the materials for the proposed work, or for doing said work, or for both, as may be deemed best by the board, and shall contain a general description of the work to be done, the materials to be furnished, the time within which the work is to be commenced, and when to be completed, and the amount of bond to be given for the faithful performance of the contract, and shall refer to plans and specifications on file in the office of the board for full details and description of said work and materials.

SEC. 16. All proposals shall be made upon printed forms to be prepared by the board, and furnished gratuitously upon application, with a form for the affidavit hereinafter provided for printed thereon. Each bid shall have thereon the affidavit of the bidder that such bid is genuine, and not collusive or sham; that he has not colluded, conspired, connived, or agreed, directly or indirectly, with any other bidder or person to put in a sham bid, or that such other person shall refrain from bidding, and has not in any manner sought by collusion to secure any advantage against the city and county, or any person interested in said improvement, for himself or any other person. All bids shall be clearly and distinctly written, without any erasure or interlineation, and if any bid shall have an erasure or interlineation it shall not be received or considered by the board. Any contract made in violation of any of the foregoing provisions, and in the case of improvement of streets, any assessment for the work done under such contract, shall be absolutely void.

All proposals offered shall be accompanied by a check, certified by a responsible bank, payable to the order of the clerk of the Supervisors, for an amount not less than ten per centum of the aggregate of the proposal, and no proposal shall be considered unless accompanied by such check.

No person, corporation, or firm shall be allowed to make, file, or be interested in, more than one bid for the same work. If on the opening of said bids more than one bid appear in which the same person, corporation, or firm is interested, all such bids shall be rejected.

SEC. 17. On the day and at the hour specified in said notice inviting sealed proposals the board shall assemble and remain in session for at least one hour, and all bids shall be delivered to the board while it is so in session, and within the hour named in the advertisement. No bid not so delivered to the board shall be considered. Each bid as it shall be received shall be numbered and marked "Filed" by the President and authenticated by his signature. At the expiration of the hour stated in the advertisement within which the bids will be received, the board shall, in open session, open, examine and publicly declare the same, and an abstract of each bid shall be recorded in the minutes of the board by the secretary. Before adjourning the board shall compare the bids with the record made by the secretary, and shall thereupon, at said time, or at such other time, not exceeding twenty days thereafter, as the board may adjourn to, award the contract to the lowest bidder, except as otherwise herein provided. Notice of such award shall forthwith be posted for five days by the secretary of the board in some conspicuous place in the office of the board, and be published for the same period of time.

The board may reject any and all bids, and must reject the bid of any party who has been delinquent or unfaithful in any former contract with the city and county, and all bids other than the lowest regular bid; and on accepting said lowest bid, shall thereupon return to the proper parties the checks corresponding to the bids so rejected. If all the bids are rejected, the board shall return all the checks to the proper parties and again invite sealed proposals as in the first instance.

The check accompanying the accepted bid shall be held by the secretary of the board until the contract for doing said work, as hereinafter provided, has been entered into, whereupon said certified check shall be returned to said bidder.

If said bidder fails or refuses to enter into the contract to do said work, as hereinafter provided, then the certified check accompanying his bid, and the amount therein mentioned, shall be forfeited to the city and county, and shall be collected and paid into the General Fund. Neither the Board of Public Works nor the Supervisors shall have power to relieve from or remit such forfeiture.

SEC. 18. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties, for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and the board shall advertise for a new contract for said work.

SEC. 19. In the case of improvement of streets, the owners of the major part of the frontage of lots and lands upon the street whereon the work is to be done, or which are liable to be assessed for said work, or, in the case of an assessment district, the owners of a major part of the superficial area embraced in such district, or their agents, shall

not be required to present sealed proposals, but may, upon making oath that they are such owners, or the agents of such owners, within ten days after the first posting of notice of said award, elect to take said work and enter into a written contract to do the whole work at the price at which the same has been awarded. Should such owners not enter into a written contract therefor within said ten days, or should they enter into such contract and fail to commence the work within the time stated therein, which time shall not be less than ten nor more than twenty days from the time of the execution of such contract, the board shall enter into a contract with the original bidder to whom the contract was awarded at the price specified in his bid. If the original bidder shall fail or refuse for fifteen days after the first posting of notice of the award to enter into the contract, the board shall again advertise for proposals as in the first instance.

SEC. 20. If the owners or contractor who may have entered into any contract do not complete the same within the time limited in the contract, or within such further time as is hereinafter provided, the board may relet the unfinished portion of said work in accordance with the provisions in this chapter prescribed for the letting of the whole.

SEC. 21. All contracts shall be drawn under the supervision of the City Attorney, and shall contain detailed specifications of the work to be done, the manner in which it shall be executed, and the quality of the material to be used.

Every contract entered into by the board shall be signed by all the members thereof and by the other contracting party. All contracts shall be signed in triplicate, one of which, with the specifications and drawings, if any, of the work to be done, and the materials to be furnished, shall be filed with the Clerk of the Supervisors; one thereof, with said specifications and drawings, shall be kept in the office of the board, and the other, with said specifications and drawings, shall be delivered to the contractor.

At the same time with the execution of the contract the contractor shall execute to the city and county and deliver to the secretary of the board a bond in the sum named in the notice for proposals, with two or more sufficient sureties, to be approved by the board, or shall deposit with the secretary a certified check upon some solvent bank for said amount, for the faithful performance of the contract. No surety on any bond, other than lawfully authorized surety companies, shall be taken unless he shall be a payer of taxes on real property, the assessed value of which, over and above all incumbrances, is equal in amount to his liabilities on all bonds on which he may be security to the city and county; and each surety shall justify and make an affidavit (for which a form shall be printed upon said bond), signed by him, that he is assessed upon the last assessment book of the city and county in his own name for real property in an amount greater than his liability on all bonds on which he is surety to the city and county, and that the taxes on such property so assessed are not delinquent.

The contract shall specify the time within which the work shall be commenced, and when to be completed, as was specified in the notice inviting proposals therefor. Upon the recommendation of the board, the Supervisors may extend said time; but in no event shall the time for the performance of said contract be extended by the Supervisors more than ninety days beyond the time originally fixed for its completion; but, on the unanimous recommendation of the Board of Public Works, a further extension may be granted by vote of fourteen members of the Board of Supervisors. In case of failure on the part of the contractor to complete his contract within the time fixed in the contract, or within such extension of said time as is herein provided, his contract shall be void, and the Supervisors shall not pay or allow to him any compensation for any work done by him under said contract; and, in the case of the improvement of streets, no assessment shall be made for the work done under said contract.

SEC. 22. The work in this article provided for must be done under the direction and to the satisfaction of the Board of Public Works; and the materials used must be in accordance with the specifications and be to the satisfaction of said board, and all contracts provided for in this article must contain a provision to that effect, and also, that in no case, except where it is otherwise provided in this charter, will the city and county, or any department or officer thereof, be liable for any portion of the expense, or in the case of improvement of streets, for any delinquency of persons or property assessed.

When said work shall have been completed to the satisfaction and acceptance of the board, it shall so declare by resolution, and thereupon the board shall deliver to the contractor a certificate to that effect.

Chapter II.—Improvement of Streets.

SECTION 1. All streets, lanes, alleys, places, or courts in the city and county now open, or dedicated, or which may hereafter be opened, or dedicated to public use, shall be deemed and held to be open public streets, lanes, alleys, places, or courts, for the purposes of this chapter; and the Supervisors are hereby empowered to fix the width and grade thereof, and to order to be done therein and thereon any and all street work and street improvement under the proceedings hereinafter described.

SEC. 2. Application for the doing of any such work or improvement must in the first instance, except where otherwise provided in this article, be made in writing to the Board of Public Works; and if the expense thereof is to be assessed upon private property, the board shall investigate the same; and if it determine that such improvement is expedient, it shall so report to the Supervisors; and the Supervisors shall not order any such improvement until the same has been recommended by said board. When the construction of any sewer or drain shall involve a cost of more than five dollars per lineal foot for any block, it shall not be authorized except by an ordinance

passed by the affirmative vote of not less than fourteen members of the Board of Supervisors. If an application is made for any work or improvement of which the expense is to be paid by the city and county, and the Board of Public Works shall not approve of such application, it shall report to the Supervisors its reasons for such disapproval, and the Supervisors may then, after having obtained from the Board of Public Works an estimate of the expense of said work or improvement, by ordinance passed by the affirmative vote of not less than fourteen members of the Board of Supervisors, order the doing of said work, or the making of said improvement.

The Board of Public Works may also, except as herein prohibited, recommend any improvement, the expense of which is to be paid by the city and county, though no application may have been made therefor, and must make, with said recommendation to the Supervisors, an estimate of the expense, and in such case the Supervisors may order the same done.

No street work or street improvements of any kind shall be ordered to be done by the Supervisors unless a written recommendation to do the same has been made to them by the Board of Public Works; and all such recommendations shall be made matters of record in the office of said board.

When the board shall recommend any work to be done on a street intersection or crossing, where the streets do not intersect each other at right angles it shall in each such case determine what lots in the blocks adjacent to such intersection or crossing will be benefited by said work, and shall cause a map to be made on which shall be delineated the lots so to be benefited. Such map shall be transmitted to the Supervisors with said recommendation.

SEC 3. Before recommending to the Supervisors the ordering of any work or improvement, the expense of which, or any part thereof, is to be assessed upon private property, the Board of Public Works shall pass a resolution of its intention to recommend the same, specifying the work to be recommended, and shall fix a day when it shall take final action upon said resolution.

Upon the passage thereof the secretary of the board shall forthwith, without any further authority cause a copy of said resolution to be posted conspicuously for five days in the office of said secretary, and to be published for a period of ten days (legal holidays excepted) and cause a copy to be deposited in the postoffice at the city and county, with postage prepaid, addressed to each person represented on the assessment book of the city and county for the next preceding fiscal year as being owner of land liable to be assessed for said improvement; but if said lot stand on said book in the name of unknown owners, such notice need not be sent.

The board shall also cause to be conspicuously posted along the line of said contemplated improvement, at points not more than one hundred feet in distance apart, notices, not less than three in all, of the passage of said resolution. Each of said notices shall be headed "Notice of Street Work" in letters of not less than two inches in length, and shall in legible characters state the fact of the passage of said resolution, its date, and briefly, the work or improvement proposed, and refer to the resolution of intention for further particulars.

SEC 4. The owners of a majority of the frontage of the property fronting on said proposed work or improvement, and, in the case of a district, those owning more than one half of the superficial area of the district, may make written objections to the same within ten days after the expiration of the time of the publication of said resolution of intention, which objections shall be delivered to the secretary of the Board of Public Works, who shall indorse thereon the date of its reception by him. Such objections shall be a bar for six months to any further proceedings in relation to the doing of said work or making said improvement, unless the owners of the one half or more of the frontage or of the district, as aforesaid, shall meanwhile petition for the same to be done, and the same shall, after the expiration of said six months, be continued under the resolution of intention first passed, if said board shall deem proper. If, however, the owners of at least two thirds of the property fronting on said proposed work or improvement, and, in the case of a district, those owning at least two thirds of the superficial area of the district, shall make written objections to the same within said six months, no further proceedings shall be taken under the aforesaid resolution of intention.

When the work or improvement proposed to be done is the construction of sewers, manholes, culverts or cesspools, and the objections thereto are signed by the owners of a majority of the frontage or of the district, as aforesaid, the board shall, at its next meeting, fix a time for hearing said objections, not less than one week thereafter. The secretary shall thereupon notify the persons making such objections, by depositing a notice thereof in the post office at the city and county, postage prepaid, and addressed to each objector or his agent when he appears for such objector. At the time specified the board shall hear the objections urged, and pass upon the same, and its decision shall be final and conclusive, and if said objections are overruled the proceedings shall be continued as though no objections had been made.

At any time before the making of the assessment as hereinafter provided, all owners of lots of land liable to assessment therein, who, after the first publication of the aforesaid resolution of intention, may feel aggrieved, or who may have objections to any proceedings in relation to the performance of the work described in said resolution, may file with the secretary a petition of remonstrance, wherein they shall state in what respect they feel aggrieved, or the proceedings to which they object. Such petition or remonstrance shall be passed upon by the board, and its decision thereon shall be final and conclusive.

SEC. 5. When the contemplated work or improvement in the opinion of the Board of Public Works is of more than local or ordinary public benefit, it may recommend to the Supervisors that the expense of such work or improvement be made chargeable upon a district, and said board shall in its resolution set out the district benefited by said work or improvement and to be assessed to pay the expense thereof. Objections to the extent and boundaries of the district of lands to be benefited by said work or improvement may be made by any interested party, in writing, within ten days after the expiration of the time of publication of the resolution of intention.

The secretary of the board shall lay said objections before it and the board shall, at its next meeting, fix a time for hearing said objections not less than one week thereafter. The secretary shall thereupon notify the persons making such objections by depositing a notice thereof in the post office at the city and county, postage prepaid, addressed to each objector. At the time specified the board shall hear the objections urged and pass upon the same, and if said objections are overruled, its decision shall be final and conclusive as to the extent and boundaries of the district.

If the objections are sustained, the board shall proceed to set out another district to the extent and boundaries of which objections may be made and a hearing had thereon as above provided; and so on in like manner until a district has been set out to the extent and boundaries of which all objections shall be overruled by the board—its decision in that behalf to be final and conclusive; and thereupon the proceedings shall continue the same as if no objections had been made. In its report to the Supervisors the board shall accompany its report with a diagram on which shall be delineated each separate lot, piece or parcel of land, the area in square feet of each of such lots, pieces or parcels of land, and the relative location of the same to the work or improvement proposed to be done within the limits of the district. Such diagram shall be certified to be correct by the secretary of the board.

SEC. 6. When the work under any contract shall have been completed, the contractor shall make and file in the office of the Board of Public Works an affidavit to the effect that he has not entered into any private agreement, verbal or written, with any person liable to be assessed for said work, or with any one on his behalf, to accept a price from him less than the price named in said contract, or to make any rebate or deduction to him from such price. Any such agreement shall be deemed a fraud upon all persons liable to be assessed for such work other than the property owners who were parties to the agreement, and shall make void, as to such persons so defrauded, any assessment made for the work done under such contract, and where there is more than one contractor each contractor shall make such affidavit.

SEC. 7. When any work in or upon any public street shall have been completed according to contract, and the affidavit mentioned in the next preceding section shall have been made, the board shall make an assessment to cover the sum due for the work performed and specified in said contract (including all incidental expenses), in conformity with the provisions of this article, according to the nature and character of the work. The assessment shall briefly refer to the contract, the work contracted for and performed, and shall show the amount to be paid therefor, together with any incidental expenses, the rate per front foot assessed, the amount of each assessment, the name of the owner of each lot (if known to the board, and if not known, the word "unknown" shall be written opposite the number of the lot and the amount assessed thereon), the number of each lot assessed, and shall have attached thereto a diagram exhibiting the street or street crossing on which the work has been done, and showing the relative location of each distinct lot to the work done, numbered to correspond with the numbers in the assessment, and showing the number of front feet assessed for said work. A mistake in the name of the owner shall not invalidate any assessment.

When the expense of such work falls in part upon any person, company or corporation having railroad tracks upon the street where such work has been done, said assessment shall include an assessment against said person, company or corporation, for its legal proportion of said expense, and the same shall constitute a lien upon the road-bed, rolling stock, franchises and other property of such person, company or corporation, for a period of two years from the date of recording the warrant, assessment and diagram hereinafter provided for.

SEC. 8. The expense of all work or improvement done upon any part of said streets, lanes, alleys, places or courts, under the order of the Supervisors, shall be borne and paid for as follows:

First—The city and county shall pay out of the General Fund the expense: (a) Of all work done on streets, crossings and intersections of streets that have been or may be accepted by the city and county, after the acceptance of the same, and all repairs and improvements deemed of urgent necessity that may be made upon the public streets and highways. (b) Of all work done in front of, or that may be assessed to, property owned by the city and county or by any department thereof. (c) Of all work done in front of, or that may be assessed to, property owned by the United States.

Second—The expense of all sewers, cesspools, manholes, culverts and drains, and of all grading, planking, macadamizing, paving, piling and capping any street, or portion thereof, and of all curbs thereon, and of all work done on sidewalks, shall be assessed upon the lands within the block or blocks adjacent thereto as herein provided, except where by an assessment district it may be provided otherwise.

Third—The expense of all work on such portion of any street required by law to be kept in order by any person, company or corporation, having railroad tracks thereon, shall be borne and paid for by such person, company or corporation, and shall be included in the assessment hereinbefore provided for.

No assessment shall be levied upon any property, which, together with all assessments for street improvements that may have been levied upon the same property during the year next preceding, will amount to a sum greater than fifty per centum of the value at which said property was assessed upon the last preceding assessment book of the city and county.

SEC 9 Subdivision One—Except where the expense incurred for the street work and improvement authorized herein is to be assessed upon a district as hereinafter provided, such expense, other than that to be paid by a person, company or corporation having tracks on the street where such work and improvement has been done, shall be assessed upon the lots and lands fronting thereon, except as hereinafter specifically provided; each lot or portion of a lot being separately assessed in proportion to the frontage at a rate per front foot sufficient to cover the total expense of the work.

Subdivision Two—The expense of all improvement except such as is done by contractors under the provisions of section sixteen of this chapter, until the streets, avenues, street crossings, lanes, alleys, places, or courts are finally accepted, as provided in section twenty-three of this chapter, shall be assessed upon the lots and lands as provided in this section according to the nature and character of the work.

Subdivision Three—The expense of the work done on main street crossings shall be assessed at a uniform rate per front foot on the quarter blocks and irregular blocks adjoining and cornering upon the crossings, and separately upon the whole of each lot or portion of a lot having any frontage in the said blocks fronting on said main streets, half way to the next main street crossing, and all the way on said blocks to a boundary line of the city where no such crossing intervenes, but only according to its frontage in said quarter blocks and irregular blocks.

Subdivision Four—Where a main street terminates in another main street, the expense of the work done on one half of the width of the street opposite the termination shall be assessed upon the lots in each of the two quarter blocks adjoining and cornering on the same, according to the frontage of such lots on said main street, and the expense of the other half of the width of said street upon the lot or lots fronting on the latter half of the street at such termination.

Subdivision Five—Where any alley or subdivision street crosses a main street, the expense of all work done on said crossing shall be assessed on all lots or portions of lots half way on said alley or subdivision street to the next crossing or intersection, or to the end of such alley or subdivision street if it does not meet another.

Subdivision Six—The expense of work done on alley or subdivision street crossings shall be assessed upon the lots fronting upon such alley or subdivision streets on each side thereof, in all directions, half way to the next street, place, or court, on either side, respectively, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision Seven—Where a subdivision street, avenue, lane, alley, place, or court, terminates in another street, avenue, lane, alley, place, or court, the expense of the work done on one half the width of the subdivision street, avenue, alley, place, or court opposite the termination, shall be assessed upon the lot or lots fronting on such subdivision street or avenue, lane, alley, place, or court so terminating, according to its frontage thereon, half way on each side, respectively, to the next street, avenue, lane, alley, court, or place, or the end of such street, avenue, lane, alley, place, or court, if it does not meet another, and the other one half of the width upon the lots fronting such termination.

Subdivision Eight—Where any work mentioned in this chapter, manholes, cess-pools, culverts, crosswalks, piling and capping excepted, is done on either or both sides of the center line of any street for one block or less, and further work opposite to the work of the same class already done is ordered to be done to complete the unimproved portion of said street, the assessment to cover the total expense of said work so ordered shall be made upon the lots or portions of the lots only fronting the portions of the work so ordered. When sewerage or resewering is ordered to be done under the sidewalk or only on one side of a street for any length thereof, the assessment for its expense shall be made only upon the lots and lands fronting nearest upon that side, and for intervening intersections only upon the two quarter blocks adjoining and cornering upon that side.

Subdivision Nine—Any owner or owners of lots or lands fronting upon any street, the width and grade of which have been established by the Supervisors, may perform at his or their own expense (after obtaining permission from the Board of Public Works so to do, but before said board has passed its resolution of intention to recommend grading inclusive of this) any grading upon said street, to its full width, or to the center line thereof, and to its grade as then established, and thereupon may procure, at his or their own expense, a certificate from the City Engineer setting forth the number of cubic yards of cutting and filling made by him or them in said grading, and the proportions performed by each owner, and that the same is done to the established width and grade of said street, or to the center line thereof, and thereafter may file said certificate in the office of the board. Said certificate shall be recorded in a properly indexed book kept for that purpose in the office of the board. Whenever thereafter the Supervisors order the grading of said street, or any portion thereof, on which any grading certified as aforesaid has been done, the bids and contract must express the price by the cubic yard for cutting and filling in grading, and such owner or owners, and his or their successors in interest, shall be entitled to credit on the assessment upon his or their lots and lands fronting on said street for grading thereof, to the amount of the cubic yards of

cutting and filling set forth in his or their said certificate, at the prices named in the contract for said cutting and filling; or, if the grade meanwhile has been legally changed, only for so much of said certified work as would be required for grading to the grade as changed. Such owner or owners shall not be entitled to any credit that may be in excess of the assessments for grading upon the lots and land owned by him or them, and proportionately assessed for the whole of said grading. The board shall include in the assessment for the whole of said grading upon the same grade the number of cubic yards of cutting and filling set forth in any and all certificates so recorded in his office, or for the whole of said grading to the changed grade so much of said certified work as would be required for grading thereto, and shall enter corresponding credits, deducting the same as payments upon the amounts assessed against the lots and lands owned respectively by said certified owners and their successors in interest; but he shall not include any grading quantities or credit any sums in excess of the proportionate assessments for the whole of the grading which are made upon any lots and lands fronting upon said street and belonging to any such certified owners or their successors in interest. When any owner or owners of any lots and lands fronting on any street shall have heretofore done, or shall hereafter do any work, except grading, on such street, in front of any block, at his or their own expense, and the Supervisors shall subsequently order any work to be done of the same class in front of the same block, the work so done at the expense of such owner or owners shall be excepted from the order ordering work to be done, as provided in subdivision ten of this section; but the work so done at the expense of such owner or owners shall be upon the official grade, and in condition satisfactory to the Board of Public Works at the time said order is passed.

Subdivision Ten—The Board of Public Works may include in the resolution of intention any of the different kinds of work mentioned in this chapter, and it may except therefrom any of said work already done upon the street to the official grade. The lots and portions of lots fronting upon said accepted work already done shall not be included in the frontage assessment for the class of work from which the exception is made; but this shall not be construed so as to affect the special provisions as to grading contained in subdivision nine of this section.

Subdivision Eleven—When the resolution of intention declares that the expense of the work and improvement is to be assessed upon a district, immediately after the contractor has fulfilled his contract to the satisfaction of the Board of Public Works, or to the satisfaction of the Supervisors on appeal, the Board of Public Works shall proceed to estimate upon the lands, lots, or portions of lots within said assessment district, as shown by the diagram provided for in section five of this chapter, the benefits arising from such work, and to be received by each such lot, portion of such lot, piece or subdivision of land, and shall thereupon assess upon and against said lands in said assessment district the total amount of the expense of such proposed work, and in so doing shall assess said total sum upon the several pieces, parcels, lots, or portions of lots, and subdivisions of land in said district benefited thereby, to wit: Upon each respectively in proportion to the estimated benefits to be received by each of said several lots, portions of lots, or subdivisions of land. In other respects the assessment shall be as provided in this chapter.

SEC. 10. If at any time there shall be any street work or improvement done, and none of the methods heretofore provided are legally sufficient to authorize the Board of Public Works to make an assessment to pay for the expense thereof, then said board shall, before it passes a resolution of its intention to recommend the ordering of said work or improvement, establish by resolution a method by means of which such assessment shall be made; and on the completion of the work or improvement to the satisfaction of said board, or to the satisfaction of the Supervisors on appeal, said board shall make an assessment to pay the expense thereof according to the method established by said resolution.

SEC. 11. In making all assessments the Board of Public Works shall act as a board, and the assessment shall be authenticated by the signatures of all the members thereof.

SEC. 12. To said assessment shall be attached a warrant which shall be signed by the president of the Board of Public Works and countersigned by the secretary thereof. Said warrant shall be substantially in the following form:

By virtue hereof the Board of Public Works of the City and County of San Francisco, by the authority vested in it, does authorize and empower (name of contractor) his (or their) agents, or assigns, to demand and receive the several assessments upon the assessment and diagram hereto attached, and this shall be his (or their) warrant for the same.

(Date) ———. (Name of president of Board of Public Works.)

Countersigned by (Name of secretary of Board of Public Works.)

Said warrant, assessment, and diagram shall be recorded in the office of the board. When so recorded the several amounts assessed shall be a lien upon the lands, lots, or portions of lots assessed, respectively, for the period of two years from the date of said recording, unless sooner discharged; and from and after the date of said recording of any warrant, assessment, and diagram, all persons interested in said assessment shall be deemed to have notice of the contents of the record thereof.

After said warrant, assessment, and diagram are recorded, the same shall be delivered to the contractor, or his agent or assigns, on demand, but not until after the payment to the board of the incidental expenses not previously paid by the contractor or his assigns. By virtue of said warrant said contractor, or his agents or assigns, shall be authorized to demand and receive the amount of the several assessments made to cover the sum due for the work specified in such contracts and assessments.

When it shall appear by the final judgment of any court in this State having jurisdiction to render such judgment that any suit brought to foreclose the lien of any assessment for street work made under this chapter, or in the recording thereof, has been defeated by reason of any defect, error, informality, omission, irregularity, or illegality thereof or therein, or in the return on the warrant issued pursuant to any such assessment, or in the recording of any such warrant, any person interested therein may, at any time within seven months after the entry of said final judgment, apply to the board for another assessment to be issued in conformity to law; and the board shall, within sixty days after the time of said application, make and deliver to said applicant a new assessment, diagram, and warrant in accordance with law, and sign, record, and authenticate the same as above provided. Such assessment shall be a lien upon the lots of land set out therein for the period of two years from the date of its recording, and suit may be brought to enforce said lien as provided in this chapter. Should such final judgment be that of the Superior Court for the city and county, and an appeal therefrom to the Supreme Court of the State has been taken, no such other assessment shall be made until said appeal has been determined.

SEC. 13. The contractor or his assigns, or some person on his or their behalf, shall call upon the persons assessed, or their agents, if they can conveniently be found, and demand payment of the amount assessed to each. If any payment be made, the contractor, his assigns, or some person on his or their behalf, shall receipt the same upon the assessment in the presence of the person making such payment, and shall also give a receipt if demanded. When the persons so assessed, or their agents, cannot conveniently be found or when the owner of the lot is stated as "unknown" upon the assessment, then said contractor or his assigns, or some person on his or their behalf, shall publicly demand payment on the premises assessed.

The warrant shall be returned to the Board of Public Works within thirty days after its date with a return indorsed thereon, signed by the contractor or his assigns, or some person on his or their behalf, verified upon oath, stating the nature and character of the demand, and whether any of the assessments remain unpaid in whole or in part, and the amount thereof. Thereupon the secretary of the board shall record the return so made in the margin of the record of the warrant and assessment.

The board can at any time receive the amount due upon any assessment and warrant issued by it and give a good and sufficient discharge therefor, but no such payment so made after suit has been commenced shall operate, without the consent of the plaintiff in the action, as a complete discharge of the lien until the costs in the action shall be refunded to the plaintiff.

The board may release any assessment upon the books of its office on the payment to it of the amount of the assessment with interest against any lot or on the production to it of the receipt of the party or his assigns to whom the assessment and warrant were issued. If any contractor shall fail to return his warrant within the time and in the form provided in this section he shall thenceforth have no lien upon the property assessed; but if any warrant is lost, upon proof of such loss a duplicate may be issued, upon which a return may be made with the same effect as if the original had been so returned. After the return of the assessment and warrant as aforesaid, all amounts remaining due thereon shall draw interest at the rate of seven per centum per annum until paid.

SEC. 14. The owners, whether named in the assessment or not, the contractor or his assigns, and all other persons directly interested in any work provided for in this chapter, or in the assessment, feeling aggrieved by any act or determination of the Board of Public Works in relation thereto, or who claim that the work has not been performed according to the contract in a good and substantial manner, or having or making any objection to the correctness or legality of the assessment or other act, determination, or proceedings of the board, shall, within thirty days after the date of the warrant, appeal to the Supervisors, by briefly stating their objections in writing and filing the same with the Clerk of the Supervisors. Notice of the time and place of the hearing, briefly referring to the work contracted to be done, or other subject of appeal, and to the acts, determinations or proceedings objected to or complained of, shall be published for five days. Upon such appeal the Supervisors may remedy and correct any error or informality in the proceedings, and revise and correct any of the acts or determinations of the board relative to said work, may confirm, amend, set aside, alter, modify or correct the assessment in such manner as to them shall seem just, and require the work to be completed according to the directions of the Supervisors, and may at their option direct the Board of Public Works to correct the warrant, assessment or diagram in any particular, or to make and issue a new warrant, assessment and diagram to conform to the decisions of the Supervisors in relation thereto.

All the decisions and determinations of the Supervisors, upon notice and hearing as aforesaid, shall be final and conclusive upon all persons entitled to appeal under the provisions of this section, as to all errors, informalities and irregularities, which the Supervisors might have remedied and avoided, and no assessment shall be held invalid, except upon appeal to the Supervisors, as provided in this section, for any error, informality or other defect in the proceedings prior to the assessment, or in the assessment itself, where the Board of Public Works has acquired jurisdiction to make the same.

SEC. 15. At any time after the period of thirty-five days from the day of the date of the warrant, or if an appeal has been taken to the Supervisors, then, at any time after five days from the decision of the Supervisors on such appeal, or after the return on the

warrant, after the same may have been corrected, altered or modified, as herein provided, but not less than within thirty-five days from the date of the warrant, the contractor or his assignee may sue in his own name the owner or the mortgagee of the land, lots, or portions of lots assessed on the day of the date of the recording of the warrant, assessment and diagram, or any day thereafter during the continuance of the lien of said assessment, and recover the amount of any assessment remaining unpaid, with interest thereon at the rate of seven per centum per annum until paid.

In all cases of recovery under the provisions of this chapter the plaintiff shall recover the sum of fifteen dollars in addition to the taxable costs, as attorney's fees, but not any percentage upon said recovery. When suit has been brought, after a personal demand has been made and a refusal to pay such assessment so demanded, the plaintiff shall also be entitled to have and recover said sum of fifteen dollars as attorney's fees in addition to all taxable costs, notwithstanding that the suit may be settled or a tender be made before a recovery in said action, and he may have judgment therefor.

Said warrant, assessment and diagram, with the affidavit of demand and non-payment, shall be held prima facie evidence of the regularity and correctness of the assessment and of the prior proceedings and acts of the Board of Public Works and of the Supervisors upon which said warrant, assessment and diagram are based, and like evidence of the right of the plaintiff to recover in the action. The court in which said suit shall be commenced shall have power to adjudge and decree a lien against the lots of land assessed, and to order such premises to be sold on execution as in other cases of the sale of real estate by the process of said courts. In all actions brought to enforce the lien of assessments made pursuant to the provisions of this chapter, the proceedings therein shall be governed and regulated by the provisions of this chapter, and, when not in conflict herewith, by the codes of this State.

SEC. 16. When any portion of the roadway of any street, avenue, lane, alley, court or place, or any portion of any sidewalk, in the city and county, none of which has been accepted by the Supervisors as in this chapter provided, shall be so out of repair as to endanger persons or property passing thereon, or so as to interfere with the public convenience in the use thereof, the Board of Public Works shall require the owners or occupants of lots or portions of lots fronting on said portion of said street, avenue, alley, lane, court or place, by a notice in writing, to be delivered to them or their agents personally, to repair forthwith said portion of said street, avenue, lane, alley, court or place, to the center line thereof, in front of the property of which he is the owner or tenant, or occupant. The board shall particularly specify in said notice what work is required to be done and what material shall be used in said repairs. If said repairs be not begun within five days after notice given as aforesaid, and diligently and without interruption prosecuted to completion, the board may make such repairs, or enter into a contract with any suitable person, at the expense of the owner, tenant or occupant, after the specifications for the doing of said work shall have been conspicuously posted by it in its office for three days, inviting bids for the doing of said work. Said bids shall be delivered to it at its office on or before the second day after the completion of said posting, and opened by it on the next day following; whereupon the contract shall be awarded to the lowest responsible bidder.

All of said bids shall be preserved in the office of the board, and shall be open at all times after the letting of the contract to the inspection of all persons; and such owner, tenant, or occupant, shall be liable to pay said contract price. Such work shall be commenced within twenty-four hours after the contract shall have been signed, and completed without delay to the satisfaction of the board. Upon the completion of such repairs by the contractor as aforesaid to the satisfaction of the board, it shall make and deliver to the contractor a certificate to the effect that such repairs have been properly made by said contractor to the grade, and that the charges for the same are reasonable and just, and that the Board of Public Works has accepted the same.

SEC. 17. If the expense of the work and material for the repairs provided for in the last preceding section be not paid on demand to the contractor so employed, or his agent or assignee, said contractor, or his assignee, shall have the right to sue such owner, tenant, or occupant for the amount contracted to be paid; and the certificate provided for in said section shall be prima facie evidence of the amount claimed for said work and materials, and of the right of the contractor to recover for the same in such action. Said certificate shall be recorded by the Board of Public Works in a book kept by it in the office for that purpose, properly indexed, and the sum contracted to be paid shall be a lien as in case of other assessments provided for in this chapter.

SEC. 18. In addition to the remedies above given the Supervisors may prescribe the penalties that shall be incurred by any owner or person neglecting or refusing to make repairs when required, as hereinbefore provided. Such penalties shall be enforced for the use of the city and county by prosecution in the name of the people of the State of California in the court having jurisdiction thereof, and may be applied in the case of fines, to the payment of expense of any such repairs not otherwise provided for.

SEC. 19. The person owning the fee, or the mortgagee of such fee, or the person who, on the day the action is commenced, appears by deed duly recorded in the County Recorder's office of the city and county, to have the legal title to the land, or the person in possession of lands, lots, portion of lots or buildings under claim, or exercising acts of ownership over the same for himself, or as executor, administrator or guardian of the owner, shall be regarded, treated and deemed to be the "owner" for all the purposes of this chapter. And in case of property leased, the possession of the tenant or lessee

holding and occupying under such persons shall be deemed to be the possession of such owner.

SEC 20. Any tenant or lessee of any lot of land on which has been imposed an assessment under the provisions of this chapter may pay said assessment, or he may discharge any liability imposed thereon by virtue of the provisions of this chapter, or he may redeem the property within the time prescribed by law, if legally sold on execution, and may deduct the amount so paid from the rents due and to become due from him; and he shall have a lien upon, and may retain possession of, said lots until the amount so paid and advanced, with legal interest thereon, be satisfied from accruing rents or by payment by the owner.

SEC 21. The records kept by the Board of Public Works shall have the same force and effect as other public records, and duly certified copies therefrom may be used in evidence with the same effect as the originals. Said records shall, during all office hours, be open, free of charge, to the inspection of any citizen wishing to examine them.

SEC 22. Notices in writing required to be given by the board may be served by any person over the age of twenty-one years, and the fact of such service may be verified by the oath of the person making it. Such oath may be taken before the secretary of said board or before any member thereof.

SEC 23. When any street or portion of a street has been or shall hereafter be fully constructed to the satisfaction of the Board of Public Works and of the Supervisors, and is in good condition throughout, and a sewer, gas pipes, and water pipes are properly laid therein the same shall be accepted by the Supervisors by ordinance; and thereafter such street or portion of a street shall be kept in repair and improved by the city and county. The Supervisors shall not accept any portion of a street less than the entire width of the roadway including the curbing, and one block in length, or one entire crossing, but they may partly or conditionally accept any street, without a sewer, or gas pipes or water pipes therein, if the ordinance of acceptance expressly states that they deem such sewer, or gas pipes or water pipes to be then unnecessary. In such case the lots of land previously or at any time assessable for the cost of constructing a sewer shall remain and be assessable for such cost and for the cost of repairs and restoration of the street damaged in said construction, whenever the Supervisors shall deem a sewer to be necessary and shall order it to be constructed. The Board of Public Works shall keep in its office a register of all streets accepted by the Supervisors under this section, which register shall be indexed for easy reference thereto.

SEC 24. The Board of Public Works may at any time, without any application therefor, recommend to the Supervisors to order the paving or macadamizing of the portion of any street required by law to be paved or macadamized by the person, company or corporation having railroad tracks thereon. Upon such recommendation the Supervisors shall by ordinance order said work to be done and direct said board to notify said person, company, or corporation of the fact of the passage of such ordinance.

The secretary of said board shall thereupon forthwith in writing notify said person, company or corporation of the passage of said ordinance; and if said person, company or corporation shall not within ten days after receiving said notice commence in good faith to do said work and prosecute the same diligently to completion, the board shall invite sealed proposals for doing said work in the manner provided in this article; and all the provisions of this article in regard to such proposals, to the awarding of contracts, to the execution of contracts, and to the doing of public work, shall apply to all similar proceedings taken under this section. On the completion of the work to the satisfaction of the board the contractor shall be entitled to recover from such person, company or corporation the contract price for the expense of said work, together with incidental expenses, in an action instituted in a court of competent jurisdiction. On the trial of such action, the certificate of the board of the completion of said work to its satisfaction shall be prima facie evidence of the regularity of all the proceedings prior thereto and of plaintiff's right to recover in said action.

SEC 25. Except as otherwise in this charter specifically provided, no ordinance for the improvement of any street other than for sewers, sidewalks and curbs, except for the improvement of the streets constituting or lying along the water front of the city and county, and except for such work as is provided for in the next preceding section, shall be passed by the Supervisors without extending said improvement throughout the whole width of such street.

SEC 26. Wherever in this article the word "street" occurs, it shall be held to include all streets, lanes, alleys, places and courts which have been, or may be hereafter, dedicated and open to public use, and whose grade and width have been legally established; and the grade of all intermediate or intersecting streets in any one block shall be deemed to conform to the grades as established at the crossings of the main streets.

The word "improvement" shall be held to include grading, paving, planing, macadamizing, piling and capping, and the construction and repairs of sewers, cesspools, manholes, culverts, drains, sidewalks and curbs.

The term "main street" shall mean such street or streets as bound a block, and the term "street" shall include crossing.

The word "block" shall mean the blocks known or designated as such upon the maps and books of the Assessor.

The term "quarter block," as used in this chapter as to irregular blocks, shall be deemed to include all lots, or portions of lots, having any frontage on either intersecting street half way from such intersection to the next main street, or, when no main street intervenes, all the way to a boundary line of the city and county.

The word "paved" shall include any pavement of stone, iron, wood, or other material which the Supervisors may by ordinance order to be used; but no patented pavement shall be ordered during the existence of the patent therefor, until the owner of such patent shall have transferred to the city and county all right to the use of the same therein, with the privilege to any person to manufacture and lay the same upon its streets under any contract that may be awarded to him, or entered into by him with the city and county.

The term "expense" shall include the price at which the contract was awarded, and the term "incidental expenses" shall include all expenses incurred in printing and advertising the work contracted for, and all expenses for surveying, measuring and inspecting the work.

All notices and resolutions required in this article to be published shall be published daily, legal holidays excepted, in the official newspaper.

All notices herein required to be served, whether by delivery, mailing or posting, may be so served by any male citizen of the age of twenty-one years, and his affidavit thereof shall be prima facie evidence of such service. The affidavit by the publisher of the official newspaper, or his clerk, of the publication of any notice required in this article to be published, shall be prima facie evidence of such publication.

Sec. 27. When the owners of all the lands fronting upon any street which is less than forty feet in width, for the entire distance of said street, or for the distance of one or more entire blocks, shall petition the Board of Public Works that the said street, or that portion thereof upon which said lands front, be closed, the board may pass a resolution recommending that the same be closed. Before passing such resolution the board shall cause a notice of the application to be published in the official newspaper, and shall fix a time and place at which it will consider the same and hear objections thereto. Upon such hearing it shall determine whether it will recommend that the street be closed; and if it shall so determine, it shall transmit such recommendation to the Supervisors. Thereupon the Supervisors may pass an ordinance that the street be closed, and the same shall not thereafter be, or be deemed to be, a public street, or subject to any public expense or improvement; and the land theretofore included within the roadway and sidewalks of said street shall thereafter be the property of the city and county. No such ordinance shall be passed until the petitioners shall have paid all the expenses of said proceedings.

Sec. 28. In all cases where lands in the city and county shall be hereafter subdivided and laid out into blocks or plats, sub-lots, streets and alleys, or when new streets or public grounds shall be laid out, opened, donated or granted to the public by any proprietor, the map or plat thereof shall be submitted to the Board of Public Works for its approval, and if the board approves the same, such approval shall be by it indorsed upon the said map or plat, and said map with said approval shall then be filed in the office of the Recorder, and without such approval indorsed thereon no such map or plat shall be filed in the office of the Recorder, or have any validity; nor shall any street, alley, or public ground hereafter opened and dedicated as such, become or be a public street or be subject to any public improvement or expense without such approval, indorsement and record. No street hereafter laid out shall be approved or become a public street unless the same shall be at least forty feet in width and two hundred feet distant from any parallel street.

Sec. 29. The board shall annually invite proposals for cleaning and sprinkling such of the streets of the city and county as the board shall determine should be cleaned and sprinkled at the public expense. Before causing notice for such proposals to be published the board shall divide the city and county into such number of districts as in its judgment will best induce competition for bids, and secure the cleaning and sprinkling of the streets at the lowest cost. The secretary of the board shall, under its direction, on the first Monday in May of each year, cause to be published for a period of ten days a notice inviting proposals for cleaning and sprinkling each of said districts specifying in said notice the streets of each district which are to be cleaned and sprinkled, the number of times a week that they are to be cleaned and sprinkled, and the amount of security to be given with each contract. Bids shall be made for each district separately. All the provisions of this article in relation to the making and opening of bids, awarding of contracts and entering into and performance of contracts, shall be applicable to said contracts.

The board may, at the time it invites proposals for said cleaning and for said sprinkling, also invite proposals for said cleaning separately, and for said sprinkling separately, and may award such contracts accordingly as may be for the best interest of the city and county.

The board may also, with the consent of the Supervisors expressed by ordinance, purchase one or more machines for sweeping the streets, and may enter into contracts for sweeping the streets with said machines; but the board must give the preference to handsweeping so far as it can do so with reference to the proper sweeping of the streets and to the funds at its disposal.

Sec. 30. The board shall cause to be made all urgent repairs upon the public streets that may from time to time be requisite for the public safety, and for that purpose may employ such laborers as may be necessary, and at such wages as may be from time to time fixed by the board, but when the expense of the repairs upon any street or portion of a street shall exceed the sum of five hundred dollars, exclusive of materials to be furnished from the Corporation Store Yard, the same shall be done under contract awarded in the manner provided in this article.

SEC. 31. The board shall, from time to time, after it shall have been directed so to do by the Supervisors by ordinance, invite proposals for supplying to the city and county such materials as may be required for the repair of the public streets or for any improvement thereof, and such proceedings shall be had in awarding the contracts therefor as are in this article provided for awarding other contracts.

SEC. 32. The Supervisors shall select some place in the city and county which shall be known as the Corporation Store Yard, wherein shall be kept all supplies, material, implements and machines belonging to the city and county, to be used in repairing or cleaning and sprinkling the streets or for any improvement thereon. The Board of Public Works shall appoint a storekeeper for said yard, who shall hold his office during its pleasure. He shall have the custody of said yard and of all the supplies, material and implements therein, and shall keep books of account in which shall be kept a systematic account of all purchases, and of the receipt of supplies and material under any contracts awarded under the provisions of the preceding section, and of the delivery thereof, which books shall at all times show the amount of said material and supplies on hand and in store, and when, to whom, and for what purpose each article was delivered. He shall be responsible for all material and supplies in said yard, and shall not deliver any article except upon the written order or requisition of the president and secretary of the Board of Public Works, and he shall take the written receipt, indorsed upon said order, of each person to whom any delivery is made, specifying the date of such delivery and the amount and kind of material and supplies delivered. For any deficiency in his accounts or for the delivery of any article without such order or requisition and receipt, he shall be liable upon his official bond. All cobblestones, or stone blocks, or other material with which any street or portion of a street may have been paved or planked shall, if at any time removed from said street, be taken to said yard, and there kept, accounted for and disposed of by the storekeeper in the same manner as other supplies.

Chapter III.—Opening, Straightening, Widening, Extending and Changing the Grade of Streets.

SECTION 1. When an application shall be made to the Board of Public Works for the straightening, widening or extending of any street, or for the laying out, establishing or opening of a new street, signed by the owners of a majority of the frontage of the lands upon the line of said street, or proposed street, and such improvement requires the condemnation of private property, and the board shall by resolution determine that the improvement would be of public benefit, it shall make an estimate of the expense of such improvement, and determine by resolution the district which will be affected by, and should be assessed for, the expense of such improvement. No proceedings shall be had upon the filing of such petition until after the persons signing the same shall have deposited with the secretary of the board an amount of money which, as may be determined by the board, will be sufficient to defray all the expense that may be incurred in case the Supervisors shall not pass an ordinance for said improvement.

SEC. 2. If within three months after the passage of the resolution determining such district, a majority of the owners of the land within said district who shall also be the owners of two thirds of the superficial square feet of the property included within said district, and of three fourths in value of said property, including improvements thereon, estimating said value according to the last preceding assessment book of the city and county, shall present to the board a petition for said improvement, verified by their oaths and describing the lands of which they are the owners, and showing the amount at which the same was assessed upon the last preceding assessment book of the city and county, and stating that they are the owners and in possession of the lands named in said petition, the board shall pass a resolution of its intention to recommend such improvement to the Supervisors, and shall in such resolution specify a day upon which it will hear any objections that may be made to such improvement.

Before passing such resolution of intention, the board shall cause to be prepared a map or diagram of the district affected by and to be assessed for the expense of such improvement, upon which shall be delineated the several lots of land upon which said assessment is to be levied, and also the lots of land which are to be taken for such improvement, and showing the name of the person to whom the said lots were assessed upon the last assessment book of the city and county, together with the amounts of such assessments.

SEC. 3. The secretary of the board shall thereupon cause said resolution of intention to be published for a period of thirty days, non-judicial days excepted, and shall also cause a copy of said resolution to be deposited, postage prepaid, in the post office at the city and county, addressed to each person whose name is delineated upon said map, at least ten days before the day named for hearing objections thereto.

SEC. 4. At any time before the day fixed in such resolution for hearing objections to such improvement, any person interested therein may file with the secretary of the board his objections thereto, briefly stating the grounds thereof and the nature of his interest; and upon the day fixed for hearing the same, or some day to which the hearing thereof shall then be postponed, the board shall proceed to hear and determine the sufficiency of any objections which may have been filed.

SEC. 5. If the board shall determine that such objections are sufficient to prevent a recommendation of the improvement, it shall pass a resolution to that effect, and no further proceedings shall be had under said petition. If no objections have been filed, or if the board shall determine that the objections filed are insufficient, it may pass a

resolution recommending to the Supervisors said improvement, and in its recommendation shall specially report to the Supervisors whether in its opinion the land within the district specified as affected by said improvement will be benefited to the extent of the expense of said improvement.

SEC. 6. If the board shall pass a resolution recommending said improvement, the secretary shall forthwith transmit to the Clerk of the Supervisors a copy of said resolution, together with the petition, map, estimate of the expense of said improvement, and any objections that may have been filed; and the Supervisors shall at their first regular meeting thereafter, or at any meeting to which said hearing may have been adjourned, pass upon said recommendation, and may by resolution adopt or reject the same. If said recommendation is rejected no further action shall be had thereon or upon said petition. If the Supervisors shall adopt said recommendation, they shall within thirty days thereafter pass an ordinance providing for said improvement, and may in said ordinance prescribe such rules for the conduct of the Board of Public Works respecting the assessment and valuation to be made by said board and providing for the condemnation of said lands, and the collection of said assessment, in addition to, and not inconsistent with, the rules herein prescribed, as to said Supervisors shall seem expedient. Upon the passage of said ordinance the Clerk of the Supervisors shall transmit a certified copy thereof to the Board of Public Works.

SEC. 7. Upon the receipt by the board of a certified copy of said ordinance the board shall cause to be made an accurate survey of the contemplated improvement, and a map thereof, upon which shall be delineated each and every lot of land to be taken or appropriated for the purposes of the intended improvement, showing its extent in feet and inches, and also each and every lot of land within the district determined to be affected by, and which is to be assessed for, the cost and expense of said improvement. After said survey and map are made, the board shall pass a resolution fixing a day on or after which it will proceed to value the several lots of land to be taken for the purpose of the intended improvement, and ascertain and determine the damages and benefits which may result therefrom.

The secretary of the board shall cause said resolution to be published for a period of ten days before the day fixed in said resolution for proceeding to make said valuation.

In estimating the damage to any lot by reason of any portion of said lot having been taken for public use, as herein provided, the measure of damage to said lot shall be the difference at the time of said appropriation between the value of said lot in its entirety and its value as reduced in size by the appropriation of a part thereof to said public use. The expense of the improvement shall include the value of the land taken, with the improvements, if any, thereon, and the expense of the proceedings for its appropriation or condemnation.

SEC. 8. On the day named in said notice and upon such other days as the matter may be continued to, from time to time, the board shall proceed to value the several parcels of land necessary to be taken for the purpose of the intended improvement. Such value shall be ascertained as of the time of said inquiry, independently of any appreciation or depreciation that may be caused to the same by reason of such intended improvement, and the board shall fix such valuation as the amount to be given to the owners therefor. The board shall also assess the benefits and damages which may result from the contemplated improvement of the lands within said district, and shall distribute the total value of all the lands and improvements taken, together with the damages, if any, caused by said improvement to the adjacent lands, and the estimated cost and expense of said improvement, in the form of an assessment upon each and every lot of land within the district determined to be affected by said improvement in proportion to the benefits which the board shall determine will be received by said lots and lands.

SEC. 9. The meetings of the board, when engaged in making said valuation and assessment, shall be public and held at the office of the board, and all persons interested in such valuation and assessment shall have the right to be present and be heard in person or by counsel. All persons claiming any interest in the lands to be taken for said improvement, or that will be damaged thereby, are required at or during such hearing, to file with the board plats, and a description of their respective lots of land.

SEC. 10. In making said assessment and valuation the commissioners shall act as a board, and said assessment and valuation shall be authenticated by the signatures of said commissioners, and every assessment and valuation so authenticated and recorded in the book of assessments for condemnation shall be prima facie evidence of the correctness and regularity of all the proceedings of said board and of the Supervisors prior to the date of such record.

SEC. 11. In determining the valuation of the property which is taken for said improvement, the board shall in its report set forth, under appropriate headings, a brief description of each lot thereof, the amount allowed for the same, the name of the owner of each lot, when known (and if unknown, that fact shall be stated), and the name of any claimant thereto, or to any interest therein, and in making the assessment for the expense of said improvement the board shall set forth in the assessment, under appropriate headings, a brief description of each lot assessed, the amount assessed against the same, the person to whom said property was assessed upon the next preceding assessment book of the city and county, the owner thereof, if known (and if unknown, that fact shall be stated), and the total amount of the expense of said improvement.

SEC. 12. Upon the completion of said valuation and assessment, the board shall cause to be published for ten days a notice of the completion of said assessment and valu-

ation, notifying all parties therein to examine the same; and for that purpose said assessment, valuation and map shall be open and exhibited to public inspection at the office of the board for thirty days after the first publication of said notice. During said period of thirty days, but not thereafter, the board may alter, change or modify said assessment. Upon the expiration of said thirty days it shall complete the same in the form of a report and schedule, embracing the value of the lands taken and the assessment of said value, together with the expense of the improvement, as hereinbefore provided, upon the several lots of land embraced within the aforesaid district. Said report and schedule shall within sixty days after the first publication of the last mentioned notice, be filed in the office of the County Clerk, together with a petition signed by the president of said board, to the Superior Court, praying for a judgment of said court confirming the assessment contained therein against the respective lots therein described as assessed, and for the condemnation and conveyance to the city and county, upon the payment of the value thereof as ascertained by said report, of each of the lots of land alleged in said petition to be necessary to be taken for said improvement.

SEC 13. On filing such petition, and upon application to said court, the presiding judge thereof shall appoint some day, not less than ten nor more than thirty days thereafter as the time when any objections to the confirmation of said report will be heard by said court. The clerk of said court shall thereupon cause to be published for ten days in the official newspaper, a notice of the filing of said report and of the day assigned for the hearing of any objections that may be made thereto. Any party interested therein may at any time before the day assigned for the hearing thereof file in said court his objections in writing to the confirmation of the same, specifying his objections; and all objections not specified shall be deemed waived. Upon the day fixed in said order said court shall proceed to the hearing of any objections that may have been filed to the confirmation of said report. Upon proof of publication of said notice said court shall have and take jurisdiction of said report and of the subject matter thereof as a special proceeding; and upon said day and at any other time or times to which said hearing may be adjourned may hear the allegations of the parties and proofs adduced in support of the same, and may confirm said report, or change, alter or modify the same, or cause the same to be changed, altered or modified by said board. Said judgment of confirmation shall be a lien upon each lot of land described in said report for the amount assessed against the same, and shall provide for the conveyance to the city and county of each and every of the lots of land declared necessary for the purpose of said improvement, upon the payment of the value thereof as fixed by such judgment. Said lien shall remain in force until said assessment is paid or legally discharged.

SEC 14. Any person who has filed objections to the confirmation of said report may appeal from said judgment to the Supreme Court at any time within thirty days after the entry of such judgment. The amount of the undertaking on such appeal shall be fixed by said presiding judge and such undertaking shall be made payable to the city and county. For the purposes of such appeal the judgment roll of the proceedings in the Superior Court shall consist of the report, objections, judgment and bill of exceptions, or so much thereof as may be necessary to determine said appeal. If said judgment be reversed or modified the Superior Court shall take such proceedings as will cause said assessment and valuation to be made in accordance with the decision of the Supreme Court. The City Attorney shall act as the attorney for the Board of Public Works in proceedings under this chapter.

SEC 15. After the confirmation of said report, if the time for appealing has expired, or if an appeal has been taken and the judgment appealed from has been affirmed, upon the application of the Board of Public Works the Clerk of the Superior Court shall issue a certificate to that effect to said board; and said assessment shall then be recorded in the book of assessments for condemnation kept for that purpose, and the record thereof signed by the president and secretary of said board. The secretary shall then deliver to the Tax Collector the assessment so confirmed and recorded, together with said certificate of said clerk, and a warrant to the Tax Collector directing him to collect the said assessment. The Tax Collector shall, if any part of said assessment is not paid within twenty days after said assessment, certificate and warrant shall have been delivered to him, give notice in the official newspaper by ten days' publication therein that he will, on a day and time certain, to be not more than ten days after the expiration of said publication, sell such of the lots of land on which the assessment thereon remains unpaid, describing each of said lots so delinquent, together with the amount of the assessment and costs due on each, and shall include as part of said costs five per centum on the amount due on each assessment so delinquent, as and for the expenses of said sale. He shall thereupon sell such lots pursuant to such notice. Redemption may be made from such sale within the time and in the manner and on the terms as on sales made under execution as provided in the Code of Civil Procedure of this State. If any amount remain in the hands of the Tax Collector as a result of the collection of said assessment beyond that necessary to make the compensation provided for in the next succeeding section, and to pay the necessary expenses of said sale, such surplus shall be paid by him proportionately to those whose land has been sold as aforesaid.

SEC 16. Upon the report of the Tax Collector to the Supervisors that the amount of said assessment has been collected and paid into the treasury, the Supervisors shall order to be paid out of the treasury the sums fixed in said judgment as the compensation for the lands to be taken for said improvement; and upon the delivery to the Treasurer by any person entitled to receive compensation for any lot of land so taken, of

a conveyance of said lot of land to the city and county, approved by the City Attorney, and a certificate from the City Attorney that such person is entitled to the compensation for the lands described in said conveyance, the Treasurer shall pay to said person the amount awarded for said lot by said judgment of condemnation, after the demand therefor has been audited by the Auditor.

SEC 17 If the owner of any of said lots or subdivisions neglect or refuse for ten days to make and deliver such conveyance, or be unable by reason of incapacity to make a good and sufficient conveyance thereof to the city and county, or if the City Attorney shall certify that the title to any of said lots is in dispute or uncertain, or that there are conflicting claimants to the amount awarded as compensation therefor, or to any part thereof, a warrant upon the treasury for the payment of the amount so awarded shall be by order of the Supervisors drawn by the president and secretary of the Board of Public Works, together with a certificate of the Treasurer indorsed thereon that the said warrant has been registered by him and that there are funds in the treasury set apart to pay the same, shall be deposited with the County Clerk, and thereupon, upon a petition to said Presiding Judge by the president of the said board, setting forth said facts, said Judge shall issue an order ex parte directing the Sheriff to place said board in the possession of said land.

SEC 18 At any time thereafter any claimant to said award, or any part thereof, may file his petition in said Superior Court against all parties in interest for an adjudication of all conflicting claims to the same, or for an order that the same be paid to him, and thereupon such proceedings shall be had thereon as may be agreeable to law and equity. Upon entry of final judgment in such proceedings, the County Clerk shall, after said demand has been audited by the Auditor, collect the warrant and pay the proceeds to the person or persons named in said judgment as entitled thereto. It shall be provided in said judgment that before receiving the proceeds of said warrant said party, or some one authorized in his behalf, shall make and execute to said city and county and deliver to the County Clerk a sufficient conveyance of said lot of land. Immediately after taking possession of the land required for said street, the board shall report that fact to the Supervisors.

SEC 19 If any member of the board be interested in any of the land to be taken or assessed for such improvement, the Mayor shall appoint, for the purpose of making the said assessment and valuation only, some competent person to act as one of the commissioners therefor, who shall possess the same qualifications as are provided for said commissioners and who, before entering upon his duties, shall take the oath of office required of said commissioners, and enter into a bond for such amount as may be fixed by the Supervisors.

SEC 20 The Supervisors may, on the written recommendation of the Board of Public Works, change the grade of any street or street crossing in the manner and to the grade set out in such recommendation; but no grade shall be changed unless the same proceedings are taken by way of providing compensation to those who may suffer damage by such change of grade, so far as such proceedings may be applicable, as are hereinbefore provided in the matter of opening, straightening, widening, and extending streets; and where such proceedings are not applicable they may be supplemented by ordinance of the Supervisors.

Chapter IV.—Sewers and Drainage.

SECTION 1. The Board of Public Works shall devise a general system of drainage, which shall embrace all matters relative to the thorough, systematic, and effectual drainage of the city and county, and shall from time to time make to the Supervisors such recommendations upon the subject of sewerage and drainage as it may deem proper.

SEC 2 The board shall prescribe the location, form, and material to be used in the construction, reconstruction, and repairing of all public sewers, manholes, sinks, drains, cesspools, and all other appurtenances belonging to the drainage system, and of every private drain or sewer emptying into a public sewer, and determine the place and manner of the connection.

SEC 3 The board shall recommend to the Supervisors rules and regulations concerning the public and private sewers and drains in the city and county, and upon recommendation of said board, the Supervisors are authorized to pass an ordinance establishing the same and prescribing the penalties for any violation thereof.

SEC 4 No person shall connect with, or open or penetrate, any public sewer or drain without first obtaining a permit in writing from said board, and complying with the rules and regulations of the board in reference thereto.

SEC 5 The board may also recommend to the Supervisors the construction of such canals, sewers, tunnels, ditches, drains, embankments, reservoirs, pumping works, machinery and other works necessary for the proper and effectual drainage of the city and county, together with plans for connecting the same with sewers and private drains already constructed or thereafter to be constructed.

SEC 6 The Supervisors may, upon the recommendation of the Board of Public Works, by ordinance passed by not less than fourteen affirmative votes, authorize the purchase of any personal property or the acquisition by purchase or condemnation of any real estate which may be necessary for the construction of any sewer or the making of any improvement provided for in this chapter.

SEC 7 The board may, with the like approval of the Supervisors, agree with the owners of any real estate upon which it is deemed desirable to construct any sewer or other improvement relative to sewerage or drainage, upon the amount of damage to be

paid to such owners for the purpose of such improvement and for the perpetual use of said real estate for such purpose.

SEC. 8. The board may, when authorized by ordinance of the Supervisors passed by not less than fourteen affirmative votes, construct such sewers, reservoirs and pumping works as may be necessary to carry out the general system of sewerage for the city and county.

SEC. 9. When, upon the recommendation of the Board of Public Works, the Supervisors shall determine upon any improvement for the purpose of sewerage and drainage which necessitates the acquisition or condemnation of private property, and the board is unable to agree with the owner thereof, upon the amount of compensation or damages to be paid therefor, or when such owner is in any way incapable of making any agreement in reference thereto, and in all cases in which the board shall deem it most expedient, it shall, when authorized by the Supervisors expressed by ordinance, have the right to cause said property to be condemned, and to institute proceedings for the condemnation of such property, or for the ascertainment of such damages in the manner, so far as the same may be applicable, which is provided in this article for the condemnation of real estate when necessary for the opening of any new street.

Chapter V.—Harbors and Wharves.

SECTION 1. All the wharves, water front and harbor of San Francisco which now belong or may hereafter belong to the city and county, or over which it may at any time lawfully exercise jurisdiction and control, shall be under the management and control of the Supervisors. All said wharves shall be built and repaired by the Board of Public Works, after proceedings had as provided in this article for the improvement or repair of public buildings.

SEC. 2. The Supervisors shall by ordinance fix and regulate the tolls for wharfage and dockage, and shall provide for the collection of the same, except where the wharves are under the jurisdiction of the Board of State Harbor Commissioners, or may provide that no charges, tolls, dockage or wharfage be imposed or collected. The Supervisors shall not have power to dispose of any wharf, but they may lease any wharf for a term not exceeding two years.

ARTICLE VII.

PUBLIC SCHOOLS AND LIBRARIES

Chapter I—The Board of Education.

SECTION 1. The School Department shall be under the control and management of a Board of Education composed of four School Directors, who shall be appointed by the Mayor, and who shall give their entire time to the duties of their office. They shall each receive an annual salary of three thousand dollars. They shall not be less than thirty years of age and must have been residents of the city and county for at least five years prior to their appointment. The board shall never be so constituted as to consist of more than two members of the same political party. The term of office of the directors shall be four years. Those first appointed shall so classify themselves by lot that they shall respectively go out of office at the expiration of one, two, three and four years.

SEC. 2. The board shall organize by electing one of its members president, who shall serve for one year and until his successor is elected. The board may elect a secretary, who shall not be a member of the board, and who shall receive an annual salary of eighteen hundred dollars.

SEC. 3. The board shall meet at least once a week and at such other times as it may determine. It shall establish rules for its proceedings; but the concurrent vote of a majority of its members shall be necessary to transact business. In every instance where a power is exercised under this article by the board the vote thereon shall be taken by ayes and noes and entered in the minutes of the board.

Chapter II.—Schools.

SECTION 1. The School Department shall comprise all the public schools of the city and county and shall include primary and grammar schools and may include evening, deportment, technical, cosmopolitan, high and normal schools.

SEC. 2. Adults shall be entitled to free instruction in the evening schools; but no child under fourteen years of age shall be admitted to such schools.

Chapter III.—Powers of the Board of Education.

SECTION 1. In addition to the powers conferred by the general laws of the State the Board of Education shall have power:

1. To establish and maintain public schools as provided in this article, and to change, modify, consolidate or discontinue the same as the public welfare may require.

2. To employ such teachers and persons as may be necessary to carry into effect its powers and duties; to fix, alter and approve their salaries and compensation, and to withhold for good and sufficient cause the whole or any part of the wages, salary or compensation of any person or persons employed as aforesaid, and to promote, transfer and dismiss teachers, but no teacher in the department at the time of the adoption of this charter, or who shall be hereafter appointed, shall be dismissed from the department, except for insubordination, immoral or unprofessional conduct, or evident unfitness for teaching. All promotions of teachers shall be based solely on merit and successful teaching. Nothing in this section shall be construed to prevent the board from removing

teachers holding only special certificates or serving a probationary term. Charges against teachers must be formally made by the Superintendent after due investigation, and shall be finally passed upon by the board after giving the accused teacher due hearing.

3. To grant, to renew and, for the causes mentioned in section one, subdivision two of this chapter, to revoke, teachers' certificates

4. To establish and enforce all necessary rules and regulations for the government and efficiency of the schools and for carrying into effect the school system; to remedy truancy; to compel the attendance at school of children between the ages of six and fourteen years who may be found idle in public places during school hours.

5. To investigate charges against any person connected with or in the employ of the School Department, and to take testimony in such investigations.

6. To receive, to take on lease and to hold in trust for the city and county any real estate belonging to or claimed by the School Department. To hold in trust all personal property that may have been or may hereafter be acquired by the School Department.

7. On or before the first day in April in each year, to appoint school census marshals, and notify the Superintendent of Common Schools of such appointments. Any census marshal found incompetent may be discharged by the Superintendent of Common Schools. Should the board fail or neglect to fill the vacancy so caused within three days thereafter by the appointment of a person competent to perform the duties of census marshal, such vacancy may be filled by the Superintendent of Common Schools.

8. To sue in the name of the city and county for lots, lands and property belonging to or claimed by the School Department. To prosecute and defend all actions at law or special proceedings or suits in equity concerning the enjoyment and possession of such lots, lands and property. To require the services of the City Attorney in all actions, suits and proceedings by or against the Board of Education.

9. To establish regulations for the disbursement of all moneys belonging to the School Department or to the Common School Fund, and to secure strict accountability in the expenditure thereof; to provide for the prompt payment, on not later than the fifth day of every month, of all salaries due and allowed officers, teachers and other employees of the School Department. For this purpose the Auditor shall annually segregate so much of the Common School Fund as shall not exceed twenty-eight dollars for each pupil in average daily attendance in the public schools of the city and county during the preceding fiscal year. The amount so segregated shall not be applied to the payment of any demand against such Common School Fund during any fiscal year other than for salaries, until all salaries for that fiscal year have been fully paid or provided for. The board shall ascertain and transmit to the Auditor on or before the first Monday in April of each year an estimate of the amount required for such segregation within such limit of twenty-eight dollars.

10. All demands payable out of the Common School Fund shall be filed with the secretary of the Board of Education, and after they have been approved by the board they shall be signed by the president of the board and the Superintendent and sent to the Auditor. Every demand shall have indorsed upon it a certificate, signed by the secretary, of its approval by the Board of Education, showing the date thereof, and the law authorizing it by title, date and section. Every person in the employ of the School Department entitled to a salary therefrom shall receive a warrant for the amount due and approved by the board, signed by the president and secretary thereof. The entire monthly salary roll of the department shall be made up by the secretary of the board, and after being duly audited by the finance committee thereof and approved by a majority of all the members of the board, shall be indorsed in the same manner as other demands. The salary roll so audited, approved and indorsed, shall be immediately transmitted to the Auditor, not later than the third day of every month, for comparison with the individual salary warrants issued in the manner above provided; but payment shall be made only on the individual warrants issued in accordance herewith.

11. To lease to the highest responsible bidder, for the benefit of the Common School Fund, for a term not exceeding twenty years, any real property of the School Department not required for school purposes; but no lease shall be made except after advertisement for bids for at least fifteen days in the official newspaper and by an affirmative vote of at least three members of the board approved by an ordinance of the Supervisors.

12. To receive and manage property or money acquired by bequest or donation in trust for the benefit of any school, educational purpose or school library; to carry into effect the terms of any bequest not in conflict with the general laws or this charter, and to sell such personal property as shall no longer be required for use in the schools. All moneys realized by such sales shall be at once paid into the treasury to the credit of the Common School Fund.

Sec. 2. The board shall annually, before the first day of May, make a list of supplies estimated to be required by the School Department for the ensuing fiscal year, stating in clear and explicit terms the quantity and kind of articles needed and how and when they shall be delivered, and shall invite proposals for furnishing the same by advertising therefor for at least ten days in the official newspaper.

The provisions of Article II, Chapter III, of this charter, in regard to the advertising for proposals, the affidavit and security accompanying the same, the presentation and opening of proposals, the awarding of contracts and the security for the performance thereof, shall, so far as the same can be made applicable, apply to all proposals and contracts made, awarded or entered into for furnishing supplies to the School Department. Any contract made in violation of any provision of this article shall be void.

Sec. 3. The board shall, during each year, transmit to the Supervisors a report in

writing for the preceding fiscal year, stating the number of schools within its jurisdiction, the length of time they have been kept open, the number of pupils taught in each school, the average daily attendance of pupils in all the public schools, the number, names and salaries of teachers, the dates of their appointments and the character of the certificates held by them, the amount of money drawn from the treasury by the department during the year, distinguishing the State fund from all others, the purpose for which such money has been expended, with particulars, and such other information as may be required by the State Superintendent, the Supervisors, or the Mayor.

SEC. 4. The board shall, between the first and twenty-first days of May of each year, adopt a schedule of salaries for the next ensuing fiscal year for teachers and all employes of the School Department.

Chapter IV.—Superintendent of Schools.

SECTION 1. The Superintendent of Common Schools of the city and county shall be by virtue of his office a member of the Board of Education, without the right to vote. He shall receive an annual salary of four thousand dollars.

SEC. 2. The Superintendent shall appoint four Deputy Superintendents. The number of such deputies shall not be increased until the average daily attendance shall have reached forty-five thousand, when the Superintendent shall appoint one additional deputy, and thereafter he shall appoint one deputy for each additional eight thousand children in average daily attendance. If from any cause a vacancy occurs in the office of Deputy Superintendent, such vacancy shall be filled by the Superintendent.

SEC. 3. Of the Deputy Superintendents first appointed, the Superintendent shall appoint two for two years and two for four years. All Deputy Superintendents subsequently appointed shall hold office for four years.

SEC. 4. Such deputies must have had at least ten years' successful experience as teachers; and shall have been residents of the city and county at least five years preceding their appointment.

SEC. 5. In addition to the duties imposed by the general laws of the State, it shall be the duty of the Superintendent:

1. To observe and enforce all rules and regulations of the Board of Education and to see that no religious or sectarian books or teachings are allowed in the schools.

2. To report to the Board of Education, annually on or before the twentieth day of August, and at such other times as the board may require, all matters pertaining to the condition and progress of the public schools of the city and county during the fiscal year, with such recommendations as he may deem proper.

3. To inform the board of the condition of the schools, school-houses, and of other matters connected therewith, and to recommend such measures as he may deem necessary for the advancement of education in the city and county, and for the care and improvement of the property of the School Department.

4. To visit and examine, with the assistance of his deputies, all the schools at least twice a year, and determine their standing and classification. To recommend rules for the promotion of pupils from grade to grade, from school to school, and for the transfer and the graduation of pupils.

5. To recommend to the board the courses of studies; the text-books and books for supplementary use in the public schools and the purchase of such apparatus, books, stationery, and other class-room supplies as may be required in the schools.

6. To report to the board once a month upon the standing of schools examined by him and his deputies.

SEC. 6. The Superintendent and his deputies shall constitute the City Board of Examination, and shall have power:

1. To examine applicants, and to prescribe a standard of proficiency, which will entitle the person examined to receive: (a) A high school certificate, valid for six years, which shall authorize the holder to teach any primary, grammar, or high school in the city and county. (b) A city certificate, grammar grade, valid for six years, which shall authorize the holder to teach any primary or grammar school in the city and county. (c) A city certificate, primary grade, valid for two years, which shall authorize the holder to teach any primary school in the city and county. They shall report the result of the examination to the Board of Education, and the board shall thereupon issue to the successful candidates the certificates to which they shall be entitled.

2. To recommend applicants for special certificates, valid for a period not to exceed six years, upon such special studies as may be authorized by the Board of Education.

3. For immoral or unprofessional conduct, profanity, intemperance, or evident unsuitness for teaching, to recommend to the Board of Education the revocation of any certificates previously granted by the board.

4. To recommend the granting of city certificates, and the renewal thereof, in the manner provided for the granting and renewal of county certificates by County Boards of Education in section seventeen hundred and seventy-five of the Political Code.

Chapter V.—School Tax Levy.

SECTION 1. The Board of Education shall, on or before the first Monday of April in each year, report to the Supervisors an estimate of the amount which shall be required during the ensuing fiscal year for the purpose of meeting the current annual expenses of public instruction in the city and county, specifying the amount required for supplies to be furnished pupils, including text-books for indigent children; for purchasing and procuring sites, for leasing rooms or erecting buildings; for furnishing, fitting up,

altering, enlarging and repairing buildings; for the support of schools organized since the last annual apportionment; for the salary of the School Directors, Superintendent, Deputy Superintendents, and all other persons employed in the School Department, and for other expenditures necessary for the administration of the public school system; but the aggregate amount so reported for any one year shall not exceed the sum of thirty-two dollars and fifty cents for each pupil, who in the fiscal year immediately prior thereto actually attended the schools entitled to participate in the apportionment thereof.

SEC. 2. The Supervisors at the time and in the manner of levying and collecting other city and county taxes shall levy and cause to be collected for the Common School Fund a tax which, added to the revenue derived from other sources, shall produce an amount of money which shall not exceed thirty-two dollars and fifty cents for each pupil in attendance during the preceding fiscal year, as ascertained and reported by the Board of Education.

SEC. 3. In case of extreme emergency or great calamity, such as disaster from fire, riot, earthquake, or public enemy, the Board of Education may, with the approval of the Mayor and Supervisors, incur extraordinary expenditures in excess of the annual limit provided for in this charter, for the repair and construction and furnishing of school-houses in place of those so injured or destroyed. The Supervisors may, by ordinance, cause to be transferred to the Common School Fund, from moneys in any fund not otherwise appropriated, sufficient money to liquidate such expenditures, and provide for the same in the next tax levy of the city and county.

Chapter VI.—School-Houses and Lots.

SECTION 1. When any locality in the city and county is unprovided with sufficient school accommodations, the Board of Education may, by resolution, make a requisition upon the Board of Public Works for plans and specifications and estimates for a new school-house, specifying the number of class-rooms needed, the location of the proposed school-house, the date on which it should be completed, the amount of money in the School Fund available for the purpose, and such other information as will enable the Board of Public Works to prepare the necessary plans, specifications, and estimates of cost for such school-house.

If such plans, specifications, and estimates are approved by the Board of Education, they shall be indorsed "Approved," with the date of such approval, by the president and secretary thereof, and returned to the Board of Public Works, which shall proceed without delay to have such school-house constructed and completed in accordance therewith. When such school-house is completed, the Board of Public Works shall notify the Board of Education to examine the same, and if it has been built in accordance with the plans and specifications and within the estimated cost thereof, the Board of Education shall accept and take possession of it.

SEC. 2. When any school-house, building, fence, or other property belonging to, or connected with, or under the control of, the Board of Education, needs repairing, altering, or improving, the board shall notify the Board of Public Works, specifying in general terms the work to be done. The Board of Public Works shall cause the same to be done forthwith, if the cost thereof shall not exceed two hundred and fifty dollars; otherwise, the Board of Public Works shall submit plans, specifications, and estimates of cost to the Board of Education for its approval, and if approved as provided in Section 1 of this chapter, the Board of Public Works shall cause the same to be done, and if done in accordance with the plans and specifications, and within such estimate, the same shall be accepted and shall be paid for out of the Common School Fund.

SEC. 3. When it is necessary to purchase a lot for the use of the school department, the price paid for such lot shall not exceed the market value of adjacent property of equal size and similarly situated. Any school building hereafter constructed shall have a clear space of at least ten feet around the same.

Chapter VII.—Public Library and Reading-Rooms.

SECTION 1. The public library and reading-rooms of the city and county shall be under the management of a board of twelve trustees, one of whom shall be the Mayor of the city and county, who shall be a member of the board by virtue of his office. The Board of Trustees of said library and reading-rooms in office at the time this charter shall take effect shall continue to constitute the Board of Trustees of said public library and reading rooms, and all vacancies therein shall be filled by said board. None of said trustees shall receive any compensation for his services.

SEC. 2. The Supervisors shall, for the purpose of maintaining such library and reading-rooms, and such branches thereof as the Board of Library Trustees may from time to time establish, and for purchasing books, journals and periodicals, and for purchasing or leasing real or personal property, and for constructing such buildings as may be necessary, annually levy a tax on all property in the city and county not exempt from taxation which shall not be less than one and one half cents nor more than two and one half cents upon each one hundred dollars assessed valuation of said property. The proceeds of said tax shall be credited to the Library Fund.

SEC. 3. All revenue from such tax, together with all money or property derived by gift, devise, bequest or otherwise, for the purposes of the library, shall be paid into the treasury and be designated as the Library Fund and be applied to the purposes herein authorized. If such payment into the treasury should be inconsistent with the conditions or terms of any such gift, devise or bequest, the board shall provide for the safety

and preservation of the same and the application thereof to the use of the library and reading-rooms, in accordance with the terms and conditions of such gift, devise or bequest.

SEC. 4. The title to all property, real and personal, now owned or hereafter acquired by purchase, gift, devise, bequest, or otherwise, for the purpose of the library and reading-rooms, when not inconsistent with the terms of its acquisition, shall vest in the city and county, and in the name of the city and county may be sued for and defended by action at law or otherwise.

SEC. 5. The board shall take charge of the public library and reading-rooms, and the branches thereof, and of all real and personal property thereunto belonging, or that may be acquired by loan, purchase, gift, devise, or otherwise, when not inconsistent with the terms and conditions of the gift, devise or bequest. It shall meet for business purposes at least once a month, and at such other times as it may appoint in a place to be provided for the purpose. A majority of the board shall constitute a quorum for the transaction of business. It shall elect one of its number president, who shall serve for one year and until his successor is elected, and shall elect a librarian and secretary and such assistants as may be necessary. The secretary shall keep a full account of all property, money, receipts, and expenditures, and a record of all its proceedings.

SEC. 6. The board, by a majority vote of all its members, to be recorded in its minutes with the ayes and noes, shall have power:

1. To make and enforce all rules, regulations and by-laws necessary for the administration, government and protection of the library and reading-rooms, and branches thereof, and all property belonging thereto, or that may be loaned thereto.

2. To administer any trust declared or created for such library and reading-rooms, and branches thereof, and provide memorial tablets and niches to perpetuate the memory of those persons who may make valuable donations thereto.

3. To define the powers and prescribe the duties of all officers; determine the number of and elect all necessary subordinate officers and assistants, and for good and sufficient cause to remove any officer or assistant.

4. To purchase books, journals, publications, and other personal property.

5. To order the drawing and payment upon vouchers, certified by the president and secretary, of money from the Library Fund for any liability or authorized expenditure.

6. To fix the salaries of the librarian and secretary, and their assistants; and, with the approval of the Supervisors, expressed by ordinance, to erect and equip such building or buildings, room or rooms, as may be necessary for the library and reading-rooms and branches thereof.

7. To establish such branches of the library and reading-rooms as the growth of the city and county may from time to time demand.

SEC. 7. The Supervisors shall have power to appropriate and authorize the use, either in whole or in part, of any real estate belonging to the city and county, for the purpose of erecting and maintaining a building or buildings thereon to be used for the library and reading rooms, or branches thereof, and may appropriate the whole or any portion of any public building belonging to the city and county for such use.

ARTICLE VIII.

POLICE DEPARTMENT.

Chapter I.—Organization.

SECTION 1. The police department shall consist of a Board of Police Commissioners, a Chief of Police, a police force, and of such clerks and employes as shall be necessary to carry into effect the provisions of this article.

SEC. 2. All members of the police department shall hold office during good behavior, subject to the provisions hereinafter set forth relating to promotions, suspensions, dismissals and disratements.

SEC. 3. No person shall become a member of the department unless he shall be a citizen of the United States, of good character for honesty and sobriety, able to read and write the English language, and a resident of the city and county for at least five years next preceding his appointment. Every appointee to the department shall not be less than twenty-one nor more than thirty-five years of age, must possess the physical qualifications required for recruits of the United States army, and before his appointment must pass a satisfactory medical examination under such rules and regulations as may be prescribed by the Board of Police Commissioners. In making appointments of members of the department, the board shall never regard the political or religious preferences or affiliations of any candidate.

Chapter II.—Police Commissioners.

SECTION 1. The police department shall be under the management of a Board of Police Commissioners consisting of four members, who shall be appointed by the Mayor, and each of whom shall receive an annual salary of twelve hundred dollars. No person shall be appointed such commissioner who shall not have been an elector of the city and county for at least five years next preceding his appointment.

SEC. 2. The board shall never be so constituted as to consist of more than two members of the same political party. The term of office of the commissioners shall be four years. Those first appointed shall so classify themselves by lot that they shall respectively go out of office at the expiration of one, two, three and four years.

Sec. 3. The commissioners shall be successors in office of the Police Commissioners holding office in the city and county at the time this charter shall go into effect by virtue of appointment under any statute or law of this State.

Sec. 4. The Police Commissioners shall organize by electing one of their number president, who shall hold such office for one year. The board shall appoint a secretary, who shall receive an annual salary of fifteen hundred dollars. The sessions of the board shall be public, except that executive sessions may be held whenever deemed proper by the board. The board shall meet at least once a week in the rooms of the Police Department, or in case of public emergency at such place as the board may select. The secretary must keep minutes of its proceedings, and in every case where a power is exercised by the board under this article the ayes and noes thereon shall be entered therein.

Chapter III.—Powers of the Board.

SECTION 1. The Board of Police Commissioners shall have power:

1. To appoint, promote, suspend, disrate, or dismiss any member of the department in the manner hereinafter provided

2. To prescribe rules and regulations for the government, discipline, equipment, and uniform of the department, and from time to time to alter or repeal the same, and to prescribe penalties for the violations of any of such rules and regulations. All such rules and regulations must be reasonable.

3. To grant permits to any person desiring to engage in the sale of liquor in less quantity than one quart, and to grant permits to any person engaged in the business of selling liquor to be drunk on the premises, and to revoke any such permit when it shall appear to the board that the business of the person to whom such permit was given is conducted in a disorderly or improper manner. Without such permit none of such persons shall engage in the business of selling liquor. If the board refuse to grant such permit, or propose to revoke any permit that has been granted, the person who is refused such permit or whose permit it is proposed to revoke, shall be entitled to be heard before the board in person, or through counsel, and to have, free of charge, all reasonable facilities at the hearing. Such permits shall not be granted for more than three months at one time, and they shall distinctly state the name of the person to whom the same is given, and the description of the premises where such business is to be carried on. Such permits shall at all times be subject to inspection by any member of the department. Complaints to revoke permits granted by the board must be in writing, signed by the person making the same, and filed with the secretary of the board; and a copy thereof, certified by the secretary, must be served upon the party complained against at least five days before the time set for the hearing of the complaint.

4. At its discretion, upon the petition of any person, firm, or corporation, to appoint, and at pleasure to remove, special police officers. Such officers shall be subject to all the rules and regulations of the board

5. To provide for the care, restitution, or sale at annual public auction of all unclaimed property that may come into the possession of the property clerk, and to direct the destruction of such property as shall consist of implements, weapons, property, or any other article, matter, or thing used in the commission of crime.

6. To appoint police matrons for the care of female prisoners, and to provide rules and regulations for the government of the same.

7. To appoint a police surgeon, who shall receive an annual salary of fifteen hundred dollars

Sec. 2. The president may convene the board for special meetings. The secretary of the board shall be the official custodian of all records and official documents of the board

Chapter IV.—The Chief of Police.

SECTION 1. The Chief of Police shall be appointed by the Board of Police Commissioners, and hold office for the term of four years. He shall receive an annual salary of four thousand dollars. He shall have control, management, and direction of all members of the department in the lawful exercise of his functions, with full power to detail any of them to such public service as he may direct, and with like power to suspend temporarily any member of the department. In all cases of such suspension, he shall immediately report the same to the board with the reasons therefor in writing. He shall maintain and enforce law and rigid discipline so as to secure complete efficiency of the department. He shall, subject to the directions and orders of the commissioners, have control of such of the prisons of the city and county as are not by the general law under the control of the Sheriff.

Sec. 2. In the suppression of any riot, public tumult, disturbance of the public peace, or organized resistance against the laws or public authority, the Chief of Police shall, in the lawful exercise of his functions, have all the powers that are now or may be conferred on Sheriffs by the laws of the State

Sec. 3. The Chief of Police shall be the chief executive officer of the department. He shall be chargeable with and responsible for the execution of all laws and ordinances and the rules and regulations of the department. He shall see that the orders and process issued by the Police Court and such other orders and process as may be placed in his hands are promptly executed, and shall exercise such other powers connected with his office as may be provided for in the general rules and regulations of the commissioners.

SEC 4. The Chief of Police shall keep a public office in which he shall have the statutes of this State and of the United States, and all necessary works on criminal law. In case of his temporary absence some competent member of the department, by him designated for that purpose, shall be in attendance at all hours of the day and night; and in such case he shall make known to such member of the department where he can be found.

SEC 5. The Chief of Police shall detail one or more of the members of the department to attend constantly on the Police Court, and to execute its orders and process. He shall detail at his pleasure members of the department to act as his chief clerk, assistant clerks, prison-keepers and property clerk. Said chief clerk and said property clerk shall each receive an annual salary of twenty-four hundred dollars.

SEC 6. The Chief of Police may from time to time disburse such sums for contingent expenses of the department as in his judgment shall be for the best interest of the city and county, to be paid out of the contingent fund allowed the department. The aggregate of all such sums shall not in any one fiscal year exceed the sum of ten thousand dollars. Provision shall be made by the Supervisors for such contingent fund in the annual tax levy. The commissioners shall allow and order paid out of such contingent fund as contingent expenses of the Police Department, upon orders signed by the Chief of Police, such amounts as may be required.

SEC 7. The Chief of Police shall possess powers of general police inspection, supervision and control, over all pawnbrokers, peddlers, junk-shop keepers, dealers in second-hand merchandise, auctioneers and intelligence office keepers. All persons engaged in said callings, must first procure permits from the commissioners. In the exercise of such power the Chief may by authority in writing from time to time empower members of the Police Department, when in search of property feloniously obtained or in search of suspected offenders, or in search of evidence to convict any person charged with crime, to examine the books and the premises of any such person. Any such member of the Police Department, when thereunto empowered in writing by the Chief of Police, may examine property alleged to have been pawned, pledged, deposited, lost, strayed or stolen.

Chapter V.—Subordinate Officers.

SECTION 1. Subordinate officers of the Police Department shall consist of captains, who shall each receive an annual salary of twenty-four hundred dollars; lieutenants, who shall each receive an annual salary of sixteen hundred and eighty dollars; sergeants, who shall each receive an annual salary of fifteen hundred dollars; and corporals, who shall each receive an annual salary of fourteen hundred and four dollars.

SEC 2. There shall be one captain for each one hundred police officers. The duties of captains shall be defined by the rules and regulations of the commissioners and by the orders of the Chief of Police.

SEC 3. There shall be one lieutenant for every fifty police officers. The duties of lieutenants shall be defined by the rules and regulations of the commissioners, by the orders of the Chief of Police, and by the orders of their respective captains.

SEC 4. There shall be as many sergeants as in the judgment of the commissioners may be advisable, not to exceed one sergeant for every ten police officers. The duties of sergeants shall be defined by the rules and regulations of the commissioners, the orders of the Chief of Police, and the orders of their respective captains and lieutenants.

SEC 5. There shall be as many corporals as in the judgment of the commissioners may be advisable. The duties of corporals shall be defined by the rules and regulations of the commissioners, the orders of the Chief of Police, and the orders of their respective captains, lieutenants, and sergeants.

SEC 6. The Chief of Police may detail for detective duties such members of the department as he may select, not to exceed twenty-five. He shall designate a captain of police to act as captain over the officers so detailed, who shall receive an annual salary of three thousand dollars. Such captain shall rank as captain of detectives, and his duties shall be defined by the commissioners and by the Chief of Police. The members so detailed shall be known and ranked as detective sergeants. Each of said detective sergeants shall receive an annual salary of eighteen hundred dollars. They may be removed at any time from such detail by the Chief of Police. Their duties shall be defined by the rules and regulations of the commissioners, by the orders of the Chief of Police, and by the orders of the captain of detectives.

Chapter VI.—Police Officers.

SECTION 1. The police force of the city and county shall not exceed one police officer for each five hundred inhabitants thereof. Police officers shall each receive an annual salary of twelve hundred and twenty-four dollars.

SEC 2. Every police officer shall, upon the arrest of any person charged with the commission of crime, search the person of such offender, and take from him all property and weapons, and forthwith deliver the same to the prison-keeper, who must deliver the same to the property clerk, to be by him kept until other disposition be made thereof according to law.

SEC 3. Police officers shall be health officers by virtue of their office.

Chapter VII.—Promotions, Suspensions, Dismissals, and Disarmaments

SECTION 1. All promotions in the department shall be from the next lower rank, seniority of service and meritorious public service being considered.

SEC. 2 Any member of the department guilty of any offense, or violation of rules and regulations shall be liable to be punished by reprimand, or by fine to be fixed by the commissioners, or by dismissal from the department; but no fine shall ever be imposed at any one time for any offense exceeding one month's salary.

SEC. 3. No member of the department shall be subject to dismissal for any cause, or to punishment for any breach of duty or misconduct therein, except after a fair and impartial trial before the commissioners upon a verified complaint filed with the board setting forth specifically the acts complained of, and after such reasonable notice to him of the time and place of hearing as the board may by rule prescribe. The accused shall be entitled upon such hearing to appear personally and by counsel; to have a public trial; and to secure and enforce, free of expense to him, the attendance of all witnesses necessary for his defense.

Chapter VIII—Unclaimed and Stolen Property.

SECTION 1. All property or money taken under suspicion of having been stolen or feloniously obtained, the result of crime or constituting the proceeds of crime, and all property or money taken from intoxicated or insane persons, or other persons incapable of taking care of themselves, or property or money lost or abandoned that may in any way come into the possession or custody of any member of the department, or of any criminal court or judge of the city and county, shall be delivered to the property clerk, who shall enter in a record book, to be kept by him for that purpose, a full and explicit description of the same, together with the name of the person or persons from whom received, the names of any claimants thereto, the time of the seizure, and the final disposition thereof.

SEC. 2. When property or money taken from any person arrested, or otherwise under suspicion of having been feloniously obtained, or of being the proceeds of crime, is brought with the claimant thereof and the person arrested before a court for examination and adjudication, and the court shall adjudge that the person arrested is innocent of the offense alleged, and that the property or money belongs to him, it shall order such property or money returned to the accused, and the property clerk shall thereupon deliver such property or money to him personally, but not to his attorney or agent. If upon such hearing the accused shall be held for trial or examination, such property or money shall remain in the custody of the property clerk until the discharge or conviction of the person accused.

SEC. 3. All unclaimed property and money that has been in the custody of the property clerk for one year shall be sold at public auction, after having been five times advertised in the official newspaper; and the proceeds of such sale shall be paid into the treasury to the credit of the Police Relief and Pension Fund. In no case shall such property be sold or disposed of until the necessity for the use thereof as evidence has ceased. The proceeds of property taken from insane persons shall not become part of such fund until after the expiration of three years from the time the same is paid into the treasury; but the commissioners and the Chief of Police shall, during such period, make diligent inquiry to ascertain the person or persons to whom the same should by right be payable.

SEC. 4. If any property or money in the custody of the property clerk be required as evidence in any court, it shall be delivered to any officer who shall present an order in writing to that effect from such court, and the clerks of such court shall be responsible for the safe delivery of such property or money to the property clerk.

SEC. 5. All valuables and money in the custody of the property clerk shall be deposited by him for safe-keeping with the Treasurer in such manner and subject to such rules and regulations as may be prescribed by the board.

Chapter IX.—Present Police Force

SECTION 1. All members of the present police force in good standing in the department at the time this charter goes into effect, and the park police, shall continue therein without civil service examination; but all new appointments and all promotions made after this charter shall go into effect shall be subject to and governed by Article XIII of this charter.

Chapter X.—Police Relief and Pension Fund

SECTION 1. In order to continue in force and make effectual pensions already existing in favor of the police force, a fund is hereby created to be known and designated as the Police Relief and Pension Fund. The Board of Police Commissioners and its successors in office shall constitute a board of trustees of said fund.

SEC. 2. The Board of Police Commissioners may, by a unanimous vote, retire and relieve from service any aged, infirm, or disabled member of the department who has arrived at the age of sixty-five years, and who, upon an examination by two regularly certificated practicing physicians appointed by the commissioners for that purpose, may be ascertained to be by reason of such age, infirmity, or other disability, unfit for the performance of his duties. Such retired member shall receive from the Police Relief and Pension Fund a monthly pension equal to one half of the amount of the salary attached to the rank held by him three years prior to the date of his retirement. No such pension shall be paid unless such person has been an active member of the department for twenty years continuously next preceding his retirement, and the same shall cease at his death.

SEC. 3. Any member of the department who shall become physically disabled by reason of any bodily injury received in the performance of his duty, upon his filing with

the commissioners a verified petition setting forth the facts constituting such disability and the cause thereof, accompanied by a certificate signed by the Chief of Police, the captain of the company to which he belongs, and by two regularly certificated physicians of the city and county recommending his retirement upon a pension on account of such disability, may be retired from the department upon an annual pension equal to one half the amount of salary attached to the rank which he may have held three years prior to the date of such retirement, to be paid to him during his life, and to cease at his death. In case his disability shall cease his pension shall cease, and he shall be restored to the service in the rank he occupied at the time of his retirement.

SEC. 4. The commissioners shall, out of the Police Relief and Pension Fund, provide for the family of any officer, member or employé of the department who may be killed while in the performance of his duty, as follows:

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one half the salary attached to the position held by their father at the time of his death, until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents depending solely upon him for support, such parents, so depending, shall collectively receive a pension equal to one half the salary attached to the position held by the decedent at the time of his death, during such time as the commissioners may unanimously determine its necessity.

SEC. 5. Any person receiving a pension as aforesaid from the Police Relief and Pension Fund, who shall be convicted of felony, shall become dissipated, an habitual drunkard, or shall become a non-resident of this State, shall forfeit all right to said pension.

SEC. 6. When any member of the department shall, after ten years' service, die from natural causes, then his widow, and if there be no widow, then his children, or if there be no widow or children, then his mother if dependent upon him for support, shall be entitled to a sum equal to the amount retained by the Treasurer from the pay of such deceased member and paid into the Relief and Pension Fund; but the provisions of this section shall not apply to any member of the department who shall have received any pension under the terms of this chapter.

SEC. 7. The commissioners shall make rules and regulations to carry out the provisions of this chapter and to enforce compliance therewith on the part of the members of the department. It shall make up an estimate every year of the amount required to pay all demands on the Police Relief and Pension Fund for the succeeding fiscal year, and certify the same to the Supervisors in connection with and as a part of the annual appropriation for the Police Department.

SEC. 8. The commissioners may, on notice to the Chief of Police, reward any member of the department for conduct which is heroic or meritorious. The form or the amount of such reward shall be discretionary with the board; but it shall not exceed in any one instance one month's salary.

SEC. 9. The Board of Police Pension Fund Commissioners shall hold quarterly meetings on the first Mondays of April, July, October and January of each year, and upon the call of its president. It shall issue warrants, signed by its president and secretary, to the persons entitled thereto, for the amount of money ordered paid to such persons from the Relief and Pension Fund. Each warrant shall state for what purpose the payment is made.

The Board of Police Pension Fund Commissioners shall keep a public record of its proceedings. It shall at each quarterly meeting send to the Treasurer and to the Auditor a written or printed list of all persons entitled to payment from the Relief and Pension Fund, stating the amounts of such payments, and for what granted. Such list shall be certified and signed by the president and secretary of the board. The Auditor shall thereupon enter a copy of such list upon a book to be kept for that purpose which shall be known as the Police Relief and Pension Fund Book. All warrants signed by the president and secretary of the board shall be presented to the Auditor, and be audited and ordered paid by him out of said fund.

SEC. 10. The Board of Police Pension Fund Commissioners shall possess the powers vested in the Board of Police Commissioners to make rules and regulations for its guidance. It may appoint a secretary, and provide for the payment from said fund of all its necessary expenses, not exceeding fifty dollars for any one month, including the salary of the secretary and printing. No compensation shall be paid to any member of the board for any duty required or performed as Police Relief and Pension Fund Commissioner.

SEC. 11. The Supervisors shall annually, when the tax levy is made, direct the payment into the aforesaid fund of the following moneys:

1. Not less than five nor more than ten per centum of all moneys collected and received from licenses for the keeping of places where spirituous, malt or other intoxicating liquors are sold
2. One half of all moneys received from taxes or from licenses upon dogs.
3. All moneys received from fines imposed upon members of the Police Department for violation of law or the rules or regulations thereof.
4. All proceeds of sales of unclaimed property.

5 Not less than one fourth nor more than one half of all moneys received from licenses from pawnbrokers, billiard-hall keepers, dealers in second-hand merchandise and from junk stores.

6 All moneys received from fines for carrying concealed weapons

7. Twenty-five per centum of all fines collected in money for violation of any ordinance.

8 All rewards to members of the Police Department, except such as shall be excepted by the commissioners

9 The Treasurer shall retain from the pay of each member of the police force two dollars a month, which shall be forthwith paid into the police relief and pension fund. No other or further retention or reduction shall be made from such pay for any other fund or purpose unless the same is herein authorized.

SEC. 12 When a request is made for regular policemen to be detailed at any place of amusement, or entertainment ball, party, or picnic, the party or person making such request shall first deposit two dollars and fifty cents for each man so detailed with the property clerk of the department, who shall give him a receipt for the same, and such sum shall be at once paid into the treasury to the credit of the police relief and pension fund

SEC. 13. On the last day of June of each year, or as soon thereafter as practicable, the Auditor shall make a report to the Supervisors of all moneys paid out of such fund during the previous year, and of the amount then to the credit of such fund. The surplus then remaining in such fund exceeding the average annual amount paid out of such fund during the three years next preceding shall be transferred to and become a part of the surplus fund, and shall be no longer under the control of the board, or subject to its order. Payments provided for in this chapter shall be made quarterly upon proper vouchers. When in any one year a deficiency shall exist in such fund, such deficiency shall be provided for and made good by the Supervisors in their next ensuing tax levy.

ARTICLE IX.

FIRE DEPARTMENT.

Chapter I.—Organization and Powers.

SECTION 1. The Fire Department shall be under the management of a Board of Fire Commissioners consisting of four members, who shall be appointed by the Mayor, and each of whom shall receive an annual salary of twelve hundred dollars. No person shall be appointed a Fire Commissioner who shall not have been an elector of the city and county for at least five years next preceding his appointment

SEC. 2 The board shall never be so constituted as to consist of more than two members of the same political party. The term of office of the commissioners shall be four years. Those first appointed shall so classify themselves by lot that they shall respectively go out of office at the expiration of one, two, three and four years.

SEC. 3. The commissioners shall be successors in office of the Fire Commissioners holding office in the city and county at the time this charter shall go into effect by virtue of appointment under any statute or law of this State.

SEC. 4 The commissioners shall organize by electing one of their number president, who shall hold office for one year. The board may appoint a secretary, who shall perform such duties as the board may prescribe. He shall receive an annual salary of twenty-four hundred dollars. The board shall meet at least once a week, and as often as the business of the department may require, and all its meetings shall be public.

SEC. 5. The board shall organize the department, create and establish such fire companies as it may deem necessary, prescribe the number and duties of the officers, members and employes of the department, and the uniforms and badges to be worn by them; have control of all the property and equipments of the department, and exercise full power and authority over all appropriations made for the use of the department.

SEC. 6 All persons appointed to positions in the department must be citizens of the United States, not less than twenty-one nor more than thirty-five years of age, of good character for honesty and sobriety, able to read and write the English language, residents of the city and county at least five years next preceding the date of their appointment, must pass a medical examination under such rules and regulations as may be prescribed by the commissioners, and upon such examination be found in sound bodily health.

SEC. 7 No officer, member or employé of the department shall be appointed, transferred or removed because of his political opinions, nor shall he be transferred or dismissed except for cause, nor until after a trial before the commissioners

SEC. 8 The commissioners shall see that the officers, members and employes of the department faithfully discharge their duties, and that the laws, ordinances and regulations pertaining to the department are carried into effect. The board shall make such rules and regulations as may be necessary to secure discipline and efficiency in the department, and for any violation of such rules and regulations may impose reasonable fines upon the officers, members and employes of the department, or may suspend any of them for such reasonable time as the board may by rule prescribe. Such fines shall be deducted from the monthly warrants of the officers, members and employes upon whom they are imposed, and shall be transferred by the Treasurer to the Firemen's Relief and Pension Fund.

SEC. 9 The clerk and commissary of the Fire Department Corporation Yards shall not deliver any supplies or stores of the Fire Department except upon an order signed

by the Chief Engineer and the Secretary of the Commissioners; but during a conflagration, such material or apparatus as may be required for the purpose of extinguishing such conflagration may be withdrawn from said corporation yards by order of the Chief Engineer, or by any officer in charge of the force of the department at such conflagration.

SEC. 10. No member or employé of the Fire Department shall be engaged in any other employment.

Chapter II.—Duties of the Commissioners.

SECTION 1. The Board of Fire Commissioners shall immediately after their appointment and qualification proceed to reorganize the Fire Department in conformity with the provisions of this charter. In so doing the board shall make its appointments of officers and members from the persons constituting the force in the service of the Fire Department at the time this charter goes into effect. Such officers and members shall not be required to pass any civil service examination. All future appointments and promotions shall be made subject to the provisions of Article XLII of this charter. If any reduction is made in the force of the department, the commissioners may temporarily discharge those persons whose discharge shall be most conducive to the efficient reorganization of the department, but in case of a subsequent increase of the force, those temporarily discharged shall be reappointed without civil service examination and assigned to the same rank in which they were at the time of their discharge.

SEC. 2. No officer, member or employé of the department shall be dismissed or transferred except for cause, nor until after a trial. The accused shall be furnished with a written copy of the charges against him at least three days previous to the day of trial. He shall have the right to appear in person and by counsel and examine witnesses in his behalf. All witnesses shall be examined under oath, and all trials shall be public.

SEC. 3. When any officer, member or employé of the department shall become temporarily disabled by reason of injuries received while in the actual performance of his duty therein so as to incapacitate him from performing his duty, the commissioners shall allow his salary during the continuance of such temporary disability.

SEC. 4. The commissioners shall see that all contracts awarded and work done for the department are faithfully performed, and shall upon the awarding of any such contract, exact an adequate bond for the prompt and faithful performance of the same.

The provisions of Article II, Chapter III, of this charter in regard to the advertising for proposals, the affidavit and security accompanying the same, the presentation and opening of proposals, the awarding of contracts and the security for the performance thereof, shall, so far as the same can be made applicable, apply to all proposals and contracts made, awarded or entered into for furnishing supplies to the Fire Department. Any contract made in violation of any of the provisions of this chapter shall be void.

Chapter III.—The Chief Engineer.

SECTION 1. The Board of Fire Commissioners shall appoint a Chief Engineer, who shall be charged with the special duty of superintending the extinguishment of fires. The Chief Engineer shall be the chief executive officer of the Fire Department, and it shall be his duty and that of the Assistant Chief Engineers and of the Battalion Chiefs to see that all laws, orders, rules and regulations in force in the city and county, or made by the commissioners concerning the Fire Department, are enforced.

SEC. 2. The Chief Engineer may suspend any subordinate officer, member, or employé of the department for incompetency, or for any violation of the rules and regulations of the Fire Department, and shall forthwith report in writing such suspension, with his reasons therefor, to the commissioners for their action. He shall diligently observe the condition of the apparatus and workings of the department and report in writing thereon at least once a month to the board, and make such recommendations and suggestions respecting the same as he may deem proper. In the absence or inability of the Chief Engineer, an Assistant Chief Engineer shall perform his duties.

SEC. 3. The Chief Engineer, or, in his absence, the Assistant Chief Engineers, or, in their absence, any Battalion Chief in charge may, during a conflagration, cause to be cut down or otherwise removed any buildings or structures for the purpose of checking the progress of such conflagration.

Chapter IV.—Fire Companies.

SECTION 1. Each steam fire engine company shall be composed of not more than one captain, one lieutenant, one engineer, one driver, one stoker and five hosemen.

Each hook and ladder company shall be composed of not more than one captain, one lieutenant, one driver, one tillerman and eight truckmen.

Each chemical engine company shall be composed of not more than one captain, one lieutenant, one driver and one hoseman.

Each water tower company shall be composed of not more than one captain, one driver and one hoseman.

Each fire boat company shall be composed of not more than one captain, one lieutenant, one engineer, one assistant engineer, two firemen, one pilot and twelve hosemen.

Chapter V.—Fire Marshal.

SECTION 1. The Board of Fire Commissioners, on the written recommendation of the board of directors of the corporation known as the Underwriters' Fire Patrol of San Francisco, may appoint such persons as may be recommended by said board of direct-

ors as Fire Marshal and Assistant Fire Marshal. Vacancies occurring in the office of Fire Marshal or Assistant Fire Marshal shall be filled in the same manner. The salaries of said Fire Marshal and of his assistant and deputies shall be fixed and paid by said board of directors of said Underwriters' Fire Patrol of San Francisco, and in no event shall the city and county be liable therefor or for any part thereof.

SEC. 2. The Fire Marshal or, in case of disability, the Assistant Fire Marshal, shall attend all fires which may occur in the city and county, and he shall take charge of and protect all property which may be imperiled thereby.

SEC. 3. The Fire Marshal may call upon policemen during the time of any fire for the purpose of protecting property until the arrival of the owner or claimant thereof, and in case the owner or claimant of such property does not take charge of the same within twenty-four hours the Fire Marshal may have such property stored at the owner's or claimant's expense.

SEC. 4. The Fire Marshal shall be charged with the enforcement of all laws and ordinances relating to the storage, sale and use of oils, combustible materials and explosives, together with the investigation of the cause of all fires. In all cases where there is reason to believe that fires are the result of crime, or that crime has been committed in connection therewith, the Fire Marshal must report the same in writing to the District Attorney. The Fire Marshal shall also have the care of, and may sell, subject to the orders of the Board of Fire Commissioners, all property saved from fire for which no owner can be found, and at once pay the amount realized from any such sale into the treasury. He shall exercise the functions of a police officer.

SEC. 5. The Fire Marshal shall have power to appoint deputies for inspecting buildings, but such deputies shall receive no compensation for their services from the city and county.

Chapter VI.—Fire Wardens.

SECTION 1. The Chief Engineer, Assistant Chief Engineers, Battalion Chiefs and the Fire Marshal shall constitute a Board of Fire Wardens, with power to inspect and report to the Board of Public Works as to the safety of buildings and other structures within the city and county.

Chapter VII.—Firemen's Relief Fund.

SECTION 1. In order to continue in force and make effectual pensions already existing in favor of firemen, a fund is hereby created to be known and designated as the Firemen's Relief Fund. The Board of Fire Commissioners of the city and county and its successors in office shall constitute a board of trustees of said fund. The board shall be known as the Board of Fire Pension Fund Commissioners.

SEC. 2. There shall be annually levied, collected and apportioned to the Firemen's Relief Fund a tax sufficient to meet and pay all demands upon said Fund, for the purposes set out in this chapter.

SEC. 3. The commissioners may, by a unanimous vote, retire and relieve from service any aged, infirm or disabled fireman of the department who has arrived at the age of sixty-five years, and who, upon an examination by two regularly certificated practicing physicians appointed by the commissioners for that purpose, may be ascertained to be by reason of such age, infirmity or other disability, unfit for the performance of his duties. Such retired fireman shall receive from the Firemen's Relief Fund a monthly pension equal to one half of the amount of the salary attached to the rank held by him three years prior to the date of his retirement. No such pension shall be paid unless such person has been an active member of the Fire Department for twenty years continuously next preceding his retirement, and the same shall cease at his death.

SEC. 4. Any member of the Fire Department who shall become physically disabled by reason of any bodily injury received in the performance of his duty, upon his filing with the commissioners a verified petition setting forth the facts constituting such disability and the cause thereof, accompanied by a certificate signed by the Chief of the Fire Department, the captain of the company to which he belongs, and by two regularly certificated physicians of the city and county, recommending his retirement upon a pension on account of such disability, may be retired from the department upon an annual pension equal to one half the amount of salary attached to the rank which he may have held three years prior to the date of such retirement, to be paid to him during his life and to cease at his death. In case his disability shall cease his pension shall cease, and he shall be restored to the service in the rank he occupied at the time of his retirement.

SEC. 5. The commissioners shall, out of the Firemen's Relief Fund, provide as follows for the family of any officer, member, or employé of the Fire Department who may be killed while in the performance of his duty:

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one half the salary attached to the position held by their father at the time of his death, until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents depending solely upon him for support, such parents so depending, shall collectively receive a pension equal to one half the salary attached to the position held by the decedent at the time of his death during such time as the commissioners may unanimously determine its necessity.

SEC. 6. Any person receiving a pension from the Firemen's Relief Fund, who shall be convicted of felony, or who shall become dissipated, an habitual drunkard, or who shall become a non-resident of this State, shall forfeit all right to said pension.

SEC. 7. The commissioners shall make rules and regulations to carry out the provisions of this chapter and to enforce compliance therewith on the part of the members of the department. It shall make up an estimate every year of the amount required to pay all demands on the Firemen's Relief Fund for the succeeding fiscal year, and certify the same to the Supervisors in connection with and as a part of the annual appropriation for the Fire Department.

SEC. 8. The Board of Fire Pension Fund Commissioners shall hold quarterly meetings on the first Mondays of April, July, October, and January of each year, and upon the call of its president. It shall issue warrants, signed by its president and secretary, to the persons entitled thereto, for the amount of money ordered paid to such persons from the Firemen's Relief Fund. Each warrant shall state for what purpose the payment is made.

The Board of Fire Pension Fund Commissioners shall keep a public record of its proceedings. It shall at each quarterly meeting send to the Treasurer and to the Auditor a written or printed list of all persons entitled to payment from the Relief Fund, stating the amounts of such payments and for what granted. Such list shall be certified and signed by the president and secretary of the board. The Auditor shall thereupon enter a copy of such list upon a book to be kept for that purpose which shall be known as the Firemen's Relief Fund Book. All warrants signed by the president and secretary of the board shall be presented to the Auditor, and be audited and ordered paid by him out of said fund.

SEC. 9. The Board of Fire Pension Fund Commissioners shall possess the powers vested in the Board of Fire Commissioners to make rules and regulations for its guidance. It may appoint a secretary and provide for the payment from said fund of all its necessary expenses, not exceeding fifty dollars for any one month, including the salary of the secretary and printing; but no compensation shall be paid to any member of the board for any duty required or performed as Fire Pension Fund Commissioner.

Chapter VIII.—Salaries.

SECTION 1. The officers and members of the Fire Department shall receive annual salaries as follows:

Chief Engineer, four thousand dollars, First Assistant Chief Engineer, three thousand dollars; Second Assistant Engineer, twenty-four hundred dollars; battalion chiefs, each twenty-one hundred dollars; superintendent of engines, eighteen hundred dollars; the clerk and commissary of the corporation yards, fifteen hundred dollars; captains, each fourteen hundred and forty dollars; lieutenants, each twelve hundred dollars, engineers, each thirteen hundred and fifty dollars; drivers, stokers, tillermen, truckmen, hosemen, and stewards, for the first year of service, each nine hundred and sixty dollars; for the second year of service, each ten hundred and eighty dollars; and for the third year of service and thereafter each twelve hundred dollars, hydrantmen, each ten hundred and eighty dollars; superintendent of horses, twelve hundred dollars; draymen, each nine hundred dollars; hostlers, each seven hundred and twenty dollars; watchmen, each nine hundred dollars; pilots of fire boats, each twelve hundred dollars; engineers of fire boats, each fifteen hundred dollars, assistant engineers of fire boats, each fourteen hundred and forty dollars; firemen of fire boats, each nine hundred dollars.

Chapter IX.—Department of Electricity.

SECTION 1. There is hereby created a Department of Electricity, which shall have charge of the construction and maintenance of the fire alarm and police telegraph and telephone systems, and shall be under the control of a joint commission composed of the Board of Fire Commissioners and the Board of Police Commissioners.

SEC. 2. There shall be appointed by the Board of Fire Commissioners and Board of Police Commissioners, acting in joint session, a practical and skilled electrician, who shall be called the Chief of the Department of Electricity, and who shall have general supervision of the Department of Electricity. He shall receive an annual salary of twenty-four hundred dollars.

SEC. 3. The joint commission may appoint such assistants as may be necessary to keep the electric and telephone systems in working order; but of those assistants appointed, no operator or inspector shall receive more than twelve hundred dollars a year, and no repairer, lineman, batteryman or instrument-maker shall receive a salary of more than ten hundred and eighty dollars a year.

SEC. 4. The Fire Department and the Police Department shall each have sole control over its own systems and wires.

SEC. 5. Any citizen, firm or corporation may, for the purpose of police or fire protection, be connected with the police or fire signal system, or telephone or telegraph system, upon making fair payment for the connection and use of the same. Such rates of payment shall be fixed by ordinance of the Supervisors; but no connection shall be made so as to interfere with the use of the main line.

SEC. 6. The Department of Electricity is also charged with the duty of enforcing all the rules, regulations, orders and requirements made by ordinance of the Supervisors in regard to the inspection and supervision of electrical wires and appliances, and the currents for furnishing light, heat, or power in and upon streets and buildings in the city and county.

ARTICLE X.

DEPARTMENT OF PUBLIC HEALTH.

SECTION 1. There shall be a Department of Public Health under the management of a Board of Health. The board shall consist of seven members, five of whom shall be appointed by the Mayor, and who shall be regularly certificated physicians of the city and county at the time of their appointment, and who must have been such for at least five years next preceding their appointment. The Chief of Police and the President of the Board of Public Works shall be members of the board by virtue of their office.

The members of the board shall serve without compensation. They shall elect one of their number president, and adopt such rules and regulations as may be necessary for the government of the board.

SEC. 2. The appointive members of the board shall hold office for four years. Those first appointed under this charter shall so classify themselves by lot that one of them shall go out of office at the end of one year, one at the end of two years, one at the end of three years, and two at the end of four years.

SEC. 3. The board shall have the management and control of the city and county hospitals, almshouses, ambulance service, municipal hospitals, receiving hospitals, and of all matters pertaining to the preservation, promotion and protection of the lives and health of the inhabitants of the city and county; and it may determine the nature and character of nuisances and provide for their abatement. It shall have the sanitary supervision of the municipal institutions of the city and county, including jails, school-houses and all public buildings; of the disposition of the dead, of the disposition of garbage, filth and other offensive substances.

Except as provided in Article II, Chapter III, of this charter, it shall have exclusive control and disposition of all expenditures necessary in the institutions under its immediate control.

SEC. 4. The board shall enforce all ordinances, rules and regulations which may be adopted by the Supervisors for the carrying out and enforcement of a good sanitary condition in the city and county; for the protection of the public health; for determining the nature and character of nuisances and for their abatement; and for securing the proper registration of births, deaths and other statistical information. It shall from time to time submit to the Supervisors a draft of such ordinances, rules and regulations as it may deem necessary to promote the objects mentioned in this section.

SEC. 5. The board may appoint such officers, agents and employes as may be necessary for the proper and efficient carrying out and enforcement of the purposes and duties of the board, and may fix their salaries and prescribe their duties. All appointments in the department shall be made under the provisions of Article XIII of this charter, and no person so appointed by the board shall be removed without cause.

SEC. 6. The board may appoint a resident physician of the City and County Hospital, who must be a regularly certificated physician and who must have been a resident of the city and county for at least five years next preceding his appointment. He shall devote his time exclusively to the duties of his office.

SEC. 7. The board shall appoint for the City and County Hospital at least two visiting physicians and at least two visiting surgeons, who shall receive no compensation for their services, but who shall have the privilege of teaching students in their hospital wards. Any student who is actively engaged in the study of medicine shall have the benefit of clinical instruction in any of the hospital wards.

SEC. 8. The board may set aside one ward in the City and County Hospital for the treatment of confirmed inebriates.

SEC. 9. The board may appoint such undergraduates and other internes to the City and County Hospital as it may deem necessary. They shall be appointed after a competitive examination by the board in any or all branches of medicine and surgery, and shall receive board and lodging free for their services. They shall be under the control and direction of the resident physician, who may remove any of them for neglect of duty, or for other good and sufficient cause, subject to an appeal to, and final decision by, said board.

SEC. 10. The board shall fix annually the salaries of all officers and employes of the board. Such compensation shall not exceed salaries paid for similar services in private institutions of like character.

SEC. 11. The ratio of employes to inmates of any institution under the care of the board shall not exceed that maintained by private institutions of like character.

ARTICLE XI.

DEPARTMENT OF ELECTIONS.

Chapter I.—Board of Election Commissioners.

SECTION 1. The conduct, management and control of the registration of voters, and of the holding of elections, and of all matters pertaining to elections in the city and county, shall be vested exclusively in and exercised by a Board of Election Commissioners, consisting of five members, who shall be appointed by the Mayor, and shall hold office for four years. Each of the commissioners shall receive an annual salary of one thousand dollars. Each member of the board must be an elector of the city and county at the time of his appointment, and must have been such for five years next preceding such time. Those first appointed must, immediately after their appoint-

ment, so classify themselves by lot, that one shall go out of office at the end of one year, one at the end of two years, one at the end of three years, and two at the end of four years.

The Mayor shall not make any appointment upon the board at any time before thirty days prior to the time when such appointee is to take office. Two of the five members first appointed shall be chosen from each of the two political parties casting in the city and county the highest vote for Governor or Electors of President and Vice-President, as the case may be, at the last preceding general election. The fifth member shall be chosen from the political party casting the third highest such vote at such election, if there be such third party, and if not, then at the discretion of the Mayor. Upon the expiration of the term of office of any commissioner, the appointee must be chosen from the same political party as the retiring commissioner, consistently with the foregoing provisions as to equal representation at all times of the two political parties casting the highest vote at the general election last preceding the appointment in question as prescribed in this section.

SEC. 2. No member of the board, nor Registrar, nor Deputy Registrar shall, during his term of office, be a member of any convention the purpose of which is to nominate candidates for office; nor be eligible to any other municipal office during the term for which he shall have been appointed, or for one year thereafter; nor act as officer of any election or primary election; nor take part in any election except to vote and when acting as Election Commissioner, at which time he shall perform only such official duties as may be required of him by law and by this charter.

SEC. 3. The commissioners shall organize within ten days after their appointment by choosing one of their number president. In case of failure to agree, he shall be selected by lot. He shall hold office for one year and until his successor is chosen. The board shall appoint a Registrar of Voters, who shall receive an annual salary of twenty-four hundred dollars. The Registrar shall be the secretary of the board, and shall keep a record of its proceedings, and shall execute all orders and enforce all rules and regulations adopted by the board. The term of office of Registrar shall be four years.

SEC. 4. The board may appoint such other clerical assistants as may be necessary at a salary not to exceed one hundred dollars a month each for the time actually employed. The board shall, by resolution adopted by a majority vote of all its members and entered upon its minutes, designate the service to be rendered by such assistants and the time for which they shall be employed. The time of employment of such assistants shall not be extended except by like resolution of the board, and when a salary shall have been once fixed it shall not be increased. This section is subject to the provisions of Article XIII of this charter.

SEC. 5. All provisions of the general laws of this State respecting elections shall be applicable to all elections held in the City and County of San Francisco. All provisions of the general laws of this State respecting the registration of voters shall be applicable to such registration in the city and county. The Board of Election Commissioners must provide for precinct registration so far as it can do so under the Constitution and laws of the State.

Chapter II.—Municipal Elections.

SECTION 1. There shall be held in the City and County of San Francisco on the first Tuesday after the first Monday of November in the year one thousand eight hundred and ninety-nine, and in every second year thereafter, an election to be known as the municipal election.

At said elections there shall be elected by the electors of the city and county the following officers: The Mayor, eighteen Supervisors, an Auditor, Treasurer, Assessor, Tax Collector, Recorder, City Attorney, District Attorney, Public Administrator, County Clerk, Sheriff, Coroner, and four Police Judges. Each of the above officers shall be elected for two years, except the Police Judges and the Assessor, each of whom shall be elected for four years. The Superintendent of Public Schools shall be elected for four years, and the Justices of the Peace for two years, at the same time that members of the Legislature are elected.

SEC. 2. All of the officers of the City and County of San Francisco who shall be elected in the year one thousand eight hundred and ninety-eight, under existing laws, except the Superintendent of Public Schools and the Justices of the Peace, shall hold office only until the hour of noon on the first Monday after the first day of January in the year nineteen hundred.

SEC. 3. The officers first elected as aforesaid under this charter shall take office at noon on the first Monday after the first day of January following.

SEC. 4. The Mayor shall issue his proclamation and publish the same in the official newspaper for at least twenty days previous to the day in each year on which the municipal election is to be held under this charter, calling upon the electors of the city and county to meet for the purpose of electing such officers as are provided for in this charter, reciting in such proclamation the different officers to be elected at such election.

ARTICLE XII.

ACQUISITION OF PUBLIC UTILITIES.

It is hereby declared to be the purpose and intention of the people of the city and county that its public utilities shall be gradually acquired and ultimately owned by the city and county. To this end it is hereby ordained:

SECTION 1. Within one year from the date upon which this charter shall go into effect, and at least every two years thereafter until the object expressed in this provision shall have been fully attained, the Supervisors must procure through the City Engineer plans and estimates of the actual cost of the original construction and completion by the city and county of water works, gas works, electric light works, steam, water or electric power works, telephone lines, street railroads and such other public utilities as the Supervisors or the people by petition to the board may designate.

In securing estimates of the original cost of the construction and completion of water works by the city and county, the Supervisors must procure and place on file plans and estimates of the cost of obtaining from all of the several available sources a sufficient and permanent supply of good, pure water, for the city and county, in order that propositions for the acquisition, construction and completion thereof, and the incurring of municipal indebtedness therefor, may be submitted to the electors of the city and county as hereinafter set forth.

SEC. 2 After such plans and estimates shall have been procured and filed, the Supervisors shall, at as early a date as they may deem for the best interests of the city and county, enter into negotiations for the permanent acquisition by the city and county, by original construction, condemnation or purchase, of such or any of said public utilities as they may regard most important to the city and county to be first acquired, and to formulate and submit to the electors of the city and county, at a special election, propositions for the permanent acquisition and ownership thereof.

Before submitting propositions to the electors for the acquisition by original construction or condemnation of public utilities, the Supervisors must solicit and consider offers for the sale to the city and county of existing utilities in order that the electors shall have the benefit of acquiring the same at the lowest possible cost thereof.

SEC. 3 When a petition or petitions signed by electors of the city and county equal in number to fifteen per centum of all the votes cast at the last preceding general election shall be presented to the Supervisors, setting forth that the signers thereof favor the acquisition by the city and county of any public utility, and requesting the board to prepare for submission to the electors of the city and county, as hereinafter provided, a proposition for the acquisition of such utility, it shall be the duty of the board to immediately take such steps or to enter into such negotiations as will enable it to formulate such a proposition for submission to the electors as aforesaid. Such proposition shall be so formulated and completed within six months from the date of the filing of such petition. The Clerk of the Supervisors must, immediately upon the filing of the aforesaid petition or petitions, after examining and verifying the signatures thereto, transmit an authenticated copy thereof, without the signatures, to the Board of Election Commissioners, and another such copy to the Mayor, together with a certificate that the required number of signatures are appended to the original. The Mayor shall also have the right to formulate and submit to the electors a separate proposition from that formulated by the Supervisors for the acquisition of the utility named in said petition. At the next municipal election after the formulation of such propositions by the Supervisors and the Mayor, the Board of Election Commissioners shall submit to the electors the two alternative propositions. The proposition receiving a majority of the votes cast thereon shall be adopted; but in case the votes cast in favor of both propositions shall not exceed one half the total number of votes cast thereon, both propositions shall be deemed rejected.

Nothing in this section shall be so construed as to prohibit the Supervisors from responding to the aforesaid petition of the electors requesting the acquisition of any public utility by proceeding at once, without the submission of propositions to the electors as aforesaid, to pass an ordinance declaring its determination to acquire the same as provided in section six of this article, and from proceeding thereafter to acquire the same in the manner hereinafter provided.

SEC. 4 In case the cost of any public utility sought to be acquired under the provisions of this article can be paid out of the annual revenues of the city and county, in addition to the other necessary expenditures thereof, it shall be lawful to acquire the same by a majority vote of the electors voting thereon at any special election. In submitting propositions to the electors for such acquisition the Supervisors shall specify in such proposition the cost of the public utility, the proposed method and manner of payment therefor, and submit to the electors the question whether the same shall be acquired upon such terms.

In case, however, the cost of such public utility sought to be acquired under the provisions of this article shall so far exceed the annual revenues of the city and county, in addition to the other necessary expenditures thereof, as to render it necessary to incur a municipal bonded indebtedness for such purpose, then the Supervisors, in submitting propositions to the electors for the acquisition thereof, shall specify therein the amount of the proposed bonded indebtedness, the rate of interest thereon, and whether such bonded indebtedness shall be incurred. At least two thirds of the electors voting thereon at such election shall be necessary to secure such acquisition and to warrant the issuance of municipal bonds therefor, as hereinafter set forth.

SEC. 5 When the electors by vote shall have determined, as hereinbefore set forth, to acquire any public utility, such action on the part of the electors shall be equivalent to the passing of the ordinance by the Supervisors declaring such determination as set forth in section six of this article, and the Supervisors shall proceed without delay to pass an ordinance calling a special election as required by section seven of this article.

SEC. 6 When the Supervisors shall determine that the public interest or necessity

demands the acquisition, construction or completion of any public utility, the cost of which will be too great to be paid out of the ordinary annual income and revenue of the city and county, the Supervisors shall, by ordinance, specifically declare such determination, and shall publish the same for at least two weeks in the official newspaper.

SEC. 7. At the next regular meeting of the Supervisors after the publication of the ordinance declaring said determination as above set forth, or at an adjourned meeting thereof, or not less than two weeks nor more than four weeks after the electors by vote shall have determined to acquire any public utility, the Supervisors by ordinance shall call a special election, at which shall be submitted to the electors the proposition of acquiring such public utility, and of incurring a debt for the acquisition of the same as set forth in such ordinance. No question other than the acquisition of such utility and the incurring of the indebtedness therefor shall be submitted at such election.

SEC. 8. The ordinance calling such special election shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the proposed public utility, the necessity for the acquisition of the same, and that bonds of the city and county shall issue for the payment of the cost of the same as in such ordinance set forth (if the proposition be accepted by the electors), and shall fix a day on which such special election shall be held, the manner of holding such election, and the manner of voting for or against incurring such indebtedness. Such election shall be held as provided by law for holding elections in the city and county.

SEC. 9. Such ordinance shall be published daily for at least ten days in the official newspaper. At the expiration of said ten days the Supervisors shall cause to be published daily for not less than two weeks, in the official newspaper, a notice of such special election. Such notice shall specify the purpose for which the indebtedness is to be incurred, the number and character of the bonds to be issued, the rate of interest to be paid, and the amount of tax levy to be made for the payment thereof.

SEC. 10. No indebtedness shall be incurred for the acquisition of any public utility under the provisions of this article, which, together with the existing bonded indebtedness of the city and county, shall exceed at any one time fifteen per centum of the assessed value of all real and personal property in the city and county.

SEC. 11. The bonds issued under the provisions of this article shall be of the character of bonds known as serials, and shall be payable in lawful money of the United States. The Supervisors shall decide at the times of the issue of the bonds in what lawful money of the United States said bonds shall be payable. Not less than one-fortieth part of the whole amount of indebtedness shall be paid each and every year, on a day and at a place, to be fixed by the Supervisors, together with the interest on all sums unpaid at such date.

The bonds so issued shall be exempt from all taxation for municipal purposes, and shall be issued in denominations of not less than ten dollars nor greater than one thousand dollars, and preference in the sale and allotment thereof shall be given to subscribers for the smallest amounts and lowest denominations.

Said bonds must be payable on the day and at the place fixed therein, and with interest at the rate specified therein, but such interest shall not exceed four per centum per annum, payable annually, semi-annually, or quarterly, as the Supervisors may determine. Such bonds, when issued, may be sold by the Supervisors from time to time as required, and in such quantities as they may determine, but the same must be sold for cash, in lawful money of the United States, as aforesaid, to the highest bidder, at not less than par, after having been advertised in the official newspaper. They shall be sold under sealed proposals, and the Supervisors shall have the right to reject any or all bids made for the purchase thereof. The proceeds of such sales shall be placed in the treasury, to the credit of the proper fund, and shall be applied exclusively to the purposes and objects mentioned in the ordinance authorizing their issue, until such objects are fully accomplished, after which, if any surplus remains, such surplus shall be transferred to the General Fund.

SEC. 12. Such bonds shall be signed by the Mayor and the Treasurer, and shall be countersigned by the Auditor. The coupons shall be numbered consecutively and signed by the Treasurer, and the bonds and coupons shall be payable at the office of the Treasurer.

SEC. 13. At the time of levying the municipal tax and in the manner provided for such tax levy, the Supervisors shall levy and collect annually a tax sufficient to pay the annual interest on such bonds, and also the proper aliquot part of the aggregate amount of such indebtedness so incurred. Such taxes shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected.

SEC. 14. A neglect or refusal on the part of the Supervisors to comply with the provisions of this article shall constitute cause for the removal from office of any member or members of the board guilty of such neglect or refusal.

ARTICLE XIII.

CIVIL SERVICE.

SECTION 1. Immediately upon the taking effect of this charter the Mayor shall appoint three persons, known by him to be devoted to the principles of civil service reform, who shall constitute the Civil Service Commission, one for one year, one for two years, and one for three years. Each year thereafter the Mayor shall in like manner appoint one person as the successor of the commissioner whose term of office

expires in that year, to serve as such commissioner for three years. All appointments shall be so made that not more than one commissioner shall at any time belong to the same political party. Each of such commissioners shall receive an annual salary of twelve hundred dollars.

SEC. 2. The commissioners shall classify all the places of employment in or under the offices and departments of the city and county mentioned in section eleven of this article, with reference to the examinations hereinafter provided for. The places so classified by the commissioners shall constitute the classified civil service of the city and county, and no appointment to any such place shall be made except according to the rules hereinafter mentioned.

SEC. 3. The commissioners shall make rules to carry out the purposes of this article, and for examinations, appointments, promotions, and removals, and in accordance with its provisions may, from time to time, make changes in the existing rules. All rules and all changes therein shall be forthwith printed for distribution by the commissioners.

SEC. 4. All applicants for places in the classified civil service shall be subjected to examination, which shall be public, competitive and free. Such examinations shall be practical in their character, and shall relate to those matters only which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed, and shall include, when appropriate, tests of physical qualifications, health, and of manual or professional skill.

SEC. 5. The selection of laborers shall be governed by priority of application only. No question in any examination shall relate to political or religious opinions or affiliations. The commissioners shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city and county, to be examiners; and, if in the official service, it shall be a part of their official duty, without extra compensation, to conduct such examinations as the commissioners may direct, and to make return and report thereof to the commissioners. The commissioners may substitute any other person, whether in or not in such service, in the place of any one so selected, or may themselves act as such examiners.

SEC. 6. Notice of the time, place and general scope of every examination shall be given by the commissioners by publication for two weeks preceding such examination in the official newspaper, and such notice shall also be posted by the commissioners in a conspicuous place in their office for two weeks before such examination. Such further notice of examination shall be given as they may prescribe.

SEC. 7. From the returns of the examiners, or from the examinations made by the commissioners, the commissioners shall prepare a register for each grade or class of positions in the classified service of the city and county of the persons whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of the commissioners and who are otherwise eligible. Such persons shall take rank upon the register as candidates in the order of their relative excellence, as determined by examination, without reference to priority of time of examination.

SEC. 8. The commissioners shall provide for promotion in the classified service on the basis of ascertained merit and seniority in service and standing upon examination, and shall provide, in all cases where practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank established by the commissioners for each department as desire to submit themselves to such examinations. The commissioners shall submit to the appointing power the names of not more than three applicants having the highest rating for each promotion. The method of examining, and the rules governing the same, and the method of certifying, shall be the same, as near as may be, as provided for applicants for original appointments.

SEC. 9. The head of the department or office, in which a position classified under this article is to be filled, shall notify the commissioners of that fact, and the commissioners shall then certify to the appointing officer the name and address of one or more candidates, not exceeding three, standing highest upon the register for the class or grade to which the position belongs; but laborers shall be taken according to their priority of application. In making such certification, sex shall be disregarded, except when some statute, the rules of the commissioners, or the appointing power specifies sex.

SEC. 10. The appointing officer shall notify the commissioners of each position to be filled separately, and shall fill such place by the appointment of one of the persons certified to him by the commissioners therefor. Such appointment shall be on probation for a period to be fixed by the rules of the commissioners; but such rules shall not fix such period at exceeding six months. The commissioners may strike off names of candidates from the register after they have remained thereon more than two years. At or before the expiration of the period of probation, the head of the department or office in which a candidate is employed, may, by and with the consent of the commissioners, discharge him upon assigning in writing his reason therefor to the commissioners. If he is not then discharged, his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department or office may, with the approval of the commissioners, make temporary appointments, to remain in force not exceeding sixty days, and only until regular appointments, under the provisions of this article, can be made.

SEC. 11. The provisions of this article shall apply to the following offices and departments of the city and county: The County Clerk, the Assessor, the Tax Collector, the Sheriff, the Auditor, the Recorder, the Coroner, the clerks and stenographers of the Justices' and Police Courts, the Board of Public Works, the Police Department, the Fire Department, the Board of Election Commissioners, the Board of Health, and all boards or departments controlling public utilities; but the following deputies, clerks, and employés in said offices and departments shall be exempted therefrom: the cashier of the County Clerk, the chief deputy and the cashier of the Assessor, the chief deputy and the cashier of the Tax Collector, the Under Sheriff, and the chief bookkeeper of the Sheriff, the Deputy Auditor, the chief deputy of the Recorder, the Chief Deputy Coroner, the City Engineer, the secretary and the architect of the Board of Public Works, the Registrar of the Board of Election Commissioners, the Chief of Police, the Chief Engineer of the Fire Department, and all physicians appointed by or on the Board of Health. All officers, courts, boards and heads of departments vested in this charter with the power to appoint deputies, clerks, stenographers, or employés in any of the offices or departments of the city and county mentioned in this section, shall make such appointments in conformity with the rules and provisions prescribed by this article, and any appointment not so made shall be void.

SEC. 12. No deputy, clerk, or employé in the classified civil service of the city and county, who shall have been appointed under said rules, shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard in his own defense. Such charges shall be investigated by or before the Civil Service Commission, or by or before some officer or board appointed by the commissioners to conduct such investigation. The finding and decision of the commissioners, or such investigating officer, or board, when approved by the commissioners, shall be certified to the appointing officer or board, and shall be forthwith enforced by such officer. Nothing in this article shall limit the power of any officer or board to suspend a subordinate for a reasonable period, not exceeding thirty days.

SEC. 13. Immediate notice in writing shall be given by the appointing power to the commissioners of all appointments, permanent or temporary, made in such classified civil service, and of all transfers, promotions, resignations, suspensions or vacancies from any cause in such service, and of the date thereof; and a record of the same shall be kept by the commissioners. When any place of employment is created or abolished, or the compensation attached thereto altered, the officer or board making such change shall immediately report in writing to the commissioners.

SEC. 14. The commissioners shall investigate the enforcement of the provisions of this article, and of its rules, and the action of the examiners herein provided for, and the conduct and action of the appointees in the classified service in the city and county, and may inquire as to the nature, tenure and compensation of all places in the public service thereof.

SEC. 15. The commissioners shall, on or before the fifteenth day of January in each year, make to the Supervisors a report showing their acts, the rules in force, the practical effects thereof, and suggestions for the more effectual accomplishment of the purposes of this article. The Mayor may require a report from the commissioners at any time.

SEC. 16. The commissioners shall employ a chief examiner, who shall, under their direction, superintend any examination held in the city and county under this article, and who shall perform such other duties as the commissioners may prescribe. The chief examiner shall be secretary of the commission by virtue of his office. He shall keep minutes of its proceedings, preserve all the reports made to it, and keep a record of all examinations held under its direction. He shall receive an annual salary of twenty-four hundred dollars.

SEC. 17. The Supervisors shall furnish the commission with suitable offices, office furniture, books, stationery, blanks, heat, and light, and shall provide for the payment of such other expenses as may be necessarily incurred in carrying out the provisions of this article.

SEC. 18. No person or officer shall by himself, or in cooperation with other persons, defeat, deceive, or obstruct any person in respect to his or her right of examination; or falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined hereunder, or aid in so doing; or make any false representations concerning the same, or concerning the person examined; or furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person of being appointed, employed or promoted.

SEC. 19. The commissioners shall certify to the Auditor all appointments to places of employment in the classified civil service, and all vacancies occurring therein, whether by dismissal, resignation, or death, and all findings made or approved by the commission under the provisions of section twelve of this article.

SEC. 20. The commissioners shall have power to institute and prosecute legal proceedings for violations of any of the provisions of this article.

ARTICLE XIV.

PARK COMMISSIONERS

SECTION 1. The lands designated upon the map of the outside lands of the city and county, made pursuant to Order Number One Hundred, by the word "park," extending from Stanyan Street to the Pacific ocean and known as Golden Gate Park; also the land

fronting on Haight street, designated upon said map by the word "park," and known as "Buena Vista Park"; also the lands designated upon said map by the word "avenue," extending from Baker street westward until it crosses Stanyan street; also that certain highway bounded on the west by the Pacific ocean, and designated upon said map as "Great Highway"; also "Mountain Lake Park"; also "Seal Rocks," as ceded to the City and County of San Francisco by Act of Congress; and all the other parks and squares in the city and county, and all the grounds surrounding public buildings in the city and county, and all parks and squares and public pleasure grounds hereafter acquired by the city and county shall be under the exclusive control and management of a Board of Commissioners, who shall be known and designated as Park Commissioners.

SEC. 2 The commissioners shall be successors in office of the Park Commissioners holding office in the city and county at the time this charter shall go into effect by virtue of appointment under any statute of this State.

SEC. 3 The commissioners shall be five in number, one of whom must be an artist. They shall be appointed by the Mayor for a term of four years and shall receive no compensation for their services. They shall so classify themselves by lot that one of them shall go out of office at the end of one year, one at the end of two years, one at the end of three years, and two at the end of four years.

SEC. 4. The commissioners shall organize by electing one of their number president, and they may elect a secretary who is not a member of the board. The board shall establish rules and regulations for its government and for the performance of its duties, and for the conduct of its officers and employes, and shall require adequate bonds from all of them, except laborers, for the faithful performance of their duties in such sums as may be fixed by it. Such bonds shall be approved by the Mayor and filed in the office of the Auditor. The person elected president shall hold his office for one year, or until his successor is elected. The board must hold regular meetings at least once in two weeks, and as many special meetings as it may deem proper.

Three of the commissioners shall constitute a quorum for the transaction of business. No contract shall be entered into authorizing the expenditure of money without the approval of four of the commissioners. Every contract exceeding five hundred dollars in amount shall be open to public competition, unless the board shall determine in any given case to have the work done by days' labor. All the provisions of the article in this charter on the department of public works relating to contracts shall be applicable to all contract work ordered by the commissioners.

SEC. 5. The commissioners may adopt ordinances for the regulation, use and government of the aforesaid parks, squares, avenues and grounds not inconsistent with the laws of the State of California or with this charter. Such ordinances shall, within five days after their passage, be published for ten days, Sundays excepted, in the official newspaper. Any person violating any of such ordinances shall be deemed guilty of a misdemeanor, and shall be punished therefor, on conviction, in any court of competent jurisdiction. None of such ordinances shall be valid unless it receives the vote of four members of the board. No ordinance shall be passed at the same meeting at which it is introduced, or at any other than a regular meeting. Such ordinances shall take effect in not less than ten days after their adoption.

SEC. 6 The commissioners shall have the complete and exclusive control, management and direction of the aforesaid parks, squares, avenues and grounds, and the exclusive right to erect, and to superintend the erection of, buildings and structures thereon; and to that end may employ and appoint superintendents, laborers, surveyors, engineers, and other officers and assistants, and prescribe and fix their duties, authority and compensation. They shall have the exclusive management and disbursement of all funds legally appropriated or received from any source for the support of said parks, squares, avenues and grounds.

The board may accept from donors suitable articles for the museum and art gallery situate in the aforesaid Golden Gate Park and shall manage and control said museum and art gallery.

Except as provided in section nine of this chapter, nothing in this section shall be so construed as to authorize the commissioners to lease any part of any of said parks, squares, avenues and grounds to any person, company or corporation for any purpose; or to permit any person, company or corporation to build or maintain any structure on any part of said parks, squares, avenues or grounds; but this shall not inhibit the board from leasing, for a period not greater than one year, such buildings as may be constructed by itself for the use of the public to such person, company or corporation who shall undertake to serve such use; and in every such lease the board shall reserve the right to enter at all times into and upon the premises so leased, and shall make the condition that the building so leased shall be used for park-pleasure purposes only. No such building shall be constructed by the board except it be within the objects and purposes for which said parks, squares, avenues and grounds were dedicated to the public.

Nothing, however, in this section contained shall inhibit the board from permitting the use of a limited portion of any one of the aforesaid parks or squares for the purpose of conducting thereon a fair or exposition, under such conditions and restrictions as may be necessary to conserve the integrity of said parks and squares, and for a period not greater than six months, and so as not to interfere with the use of any of the same by the public for park-pleasure purposes; but no such permission shall ever be granted except such fair or exposition be of National, State, or municipal importance. None of

the moneys in, or apportioned to, the Park Fund shall be used for the purposes of any such fair or exposition.

SEC. 7. The Chief of Police shall, on the request of the commissioners, detail such members of the police force of the city and county for service in said parks, squares, avenues, and grounds as may be necessary for the enforcement of the law and for the proper observance of the ordinances of the commissioners; and the commissioners may provide a place of detention within either of said public places, in which the persons arrested for violating any of the ordinances of the board may be detained temporarily.

SEC. 8. The board may receive donations from persons and corporations and legacies and bequests for the improvement of said parks, squares, avenues, and grounds. All moneys that may be derived from such donations, legacies, and bequests shall, unless otherwise provided by the terms of such gift, legacy, or bequest, be deposited in the treasury of the city and county to the credit of the Park Fund. The same may be withdrawn therefrom and paid out in the same manner as is provided for the payment of moneys legally appropriated for the support and improvement of such parks, squares, avenues, and grounds. If the moneys derived from such gifts, bequests, or legacies shall at any time exceed in amount the sum necessary for immediate expenditures on said parks, squares, avenues, and grounds, the board shall invest all or a part of the same in interest-bearing bonds of the United States, or of the State of California, or of any municipality thereof.

SEC. 9. The board may lease to the State of California, on such terms as it may deem proper, a plot of ground in Golden Gate Park, not more than seven hundred feet square, on which said State may erect and maintain an exposition building, in which may be exhibited the products of the several counties of the State, and in which the collection made by the State Mining Bureau may be maintained and exhibited; but said lease shall be upon the express condition that no fee shall ever be charged for admission to said building.

SEC. 10. Hereafter no work of art shall become the property of the city and county by purchase, gift, or otherwise, unless such work of art or design of the same, together with a statement of the proposed location of such work of art, shall first have been submitted to and approved by the commissioners; nor shall such work of art, until so approved, be erected or placed in or upon, or allowed to extend over or upon, any street, avenue, square, park, municipal building, or other public place belonging to the city and county. The board may require a complete model of the proposed work of art to be submitted. The term "work of art" as used in this section shall apply to and include all paintings, mural decorations, stained glass, statues, bas reliefs, or other sculptures, monuments, fountains, arches, or other structures of a permanent character, intended for ornament or commemoration. No existing work of art in the possession of the city and county shall be removed, relocated, or altered in any way without the similar approval of the board. When so requested by the Mayor, or the Supervisors, or the Board of Public Works, or the Board of Education, the Board of Park Commissioners shall act in a similar capacity, with similar powers, in respect of the designs of municipal buildings, bridges, approaches, gates, fences, lamps, or other structures erected or to be erected upon land belonging to the city and county, and in respect of the lines, grades, and plotting of public ways and grounds, and in respect of arches, bridges, structures, and approaches which are the property of any corporation or private individual, and which shall extend over or upon any street, avenue, highway, park, or public place belonging to the city and county. This section shall not be so construed as to impair the power of the Park Commissioners to refuse their consent to the erection or acceptance of public monuments or memorials or other works of art of any sort within any park, square, or public place in the city and county.

SEC. 11. The Supervisors shall provide all necessary money for the maintenance, preservation, and improvement of said parks, squares, avenues, and grounds, and to that end shall annually levy a tax on all property in the city and county not exempt from taxation, which shall not be less than five cents nor more than seven cents upon each one hundred dollars assessed valuation of said property.

ARTICLE XV.

BONDS OF OFFICIALS.

SECTION 1. Officers of the city and county, before entering upon the discharge of their official duties, shall respectively give and execute to the city and county such official bonds as may be required by law, ordinance, or this charter. When the amount of any bond is not fixed by law or by this charter, it shall be fixed by an ordinance of the Supervisors. All bonds, excepting those of the Mayor and Auditor, must be approved by the Mayor and Auditor; the bond of the Mayor must be approved by the Auditor, and the bond of the Auditor must be approved by the Mayor. The approval of every official bond must be indorsed thereon, and signed by the officers approving the same, after examination of the sureties, as hereinafter provided. Upon the approval of a bond it must be recorded, at the expense of the party giving the bond, in the office of the Recorder, in a book kept for that purpose, entitled record of official bonds. The bond of the Auditor shall be filed and kept in the office of the County Clerk. The bonds of all other officers shall be filed and kept in the office of the Auditor.

SEC. 2. The following officers shall respectively execute official bonds to the city and county, with sureties, in the following sums:

Mayor, twenty-five thousand dollars; Auditor, fifty thousand dollars; Treasurer, one hundred thousand dollars; Tax Collector, one hundred thousand dollars; Assessor, fifty thousand dollars; County Clerk, fifty thousand dollars; Recorder, ten thousand dollars; Sheriff, fifty thousand dollars; Coroner, ten thousand dollars; City Attorney, ten thousand dollars; District Attorney, ten thousand dollars; Public Administrator, fifty thousand dollars; Superintendent of Public Schools, five thousand dollars; each Commissioner of Public Works, twenty-five thousand dollars; Clerk of the Supervisors, ten thousand dollars; each Supervisor, five thousand dollars; each School Director, five thousand dollars; each Fire Commissioner, ten thousand dollars; each Police Commissioner, five thousand dollars; each Election Commissioner, ten thousand dollars; Property Clerk of Police Department, ten thousand dollars; the Warrant and Bond Clerk, ten thousand dollars.

SEC. 3. City and county officers shall not be accepted as surety for each other on official bonds. Every bond shall contain a condition that the principal will faithfully perform all official duties then, or that may thereafter be, imposed upon or required of him by law, ordinance, or this charter, and that at the expiration of his term of office he will surrender to his successor all property, books, papers, and documents that may come into his possession as such officer. Such bond must also be executed by two or more sureties, who shall each justify in the amount required for said bond; but when the amount of the bond is more than five thousand dollars, the sureties may become severally liable for portions of not less than twenty-five hundred dollars. When there are more than two sureties, such sureties may justify in an amount which in the aggregate shall equal double the amount of said bond.

SEC. 4. Every surety upon an official bond, other than lawfully authorized surety companies, must make an affidavit, which shall be indorsed upon such bond, that he is a resident and freeholder in the city and county, and worth in property situated in the city and county, exclusive of incumbrances thereon, double the amount of his undertaking over and above all sums for which he is already liable or in any manner bound, whether as principal, indorser or surety, and whether such prior obligation or liability be conditional or absolute, liquidated or unliquidated, due or to become due. All persons offered as sureties on official bonds may be examined on oath as to their qualifications by the officers whose duty it is to approve the bond.

SEC. 5. When under any of the provisions of this charter, or of any ordinance, an official bond shall be required from an officer, the Supervisors may, by resolution, require an additional bond, whenever, in the opinion of such board, such bond or any surety thereto becomes insufficient; and such additional bond shall also be required when a surety to a bond shall die or cease to be a resident of the city and county.

SEC. 6. Every officer shall be liable on his official bond for the acts and omissions of his deputies, assistants, clerks, and employes, appointed by him, and of any and each of them, and every official bond shall contain such a condition.

SEC. 7. Every board, department, or officer may require of their deputies, clerks, or employes bonds of indemnity with sufficient sureties for the faithful performance of their duties.

ARTICLE XVI.

MISCELLANEOUS.

SECTION 1. The words "city and county" wherever they occur in this charter mean the City and County of San Francisco; and every department, board, and officer, wherever either one of them is mentioned in this charter, means a department, board, or officer, as the case may be, of the City and County of San Francisco.

SEC. 2. All deputies, clerks, assistants, and other employes of the city and county must be citizens of the United States, and must, during their respective terms of office or employment, actually reside in the city and county, and must have so resided for one year next preceding their appointment.

SEC. 3. No officer of the city and county, except members of the Police Department acting under orders of the Chief thereof, shall absent himself from the State; but he may, once only during his term of office, so absent himself for a period of not more than sixty days upon the written permission of the Mayor so to do. Violation of this section shall be sufficient cause for the removal of any officer violating the same.

SEC. 4. Any person holding a salaried office under the city and county, whether by election or appointment, who shall, during his term of office, hold or retain any other salaried office under the government of the United States or of this State, or who shall hold any other salaried office connected with the government of the city and county, or who shall become a member of the Legislature, shall be deemed to have thereby vacated the office held by him under the city and county.

SEC. 5. No department, board, or officer, shall, under any circumstances, employ more subordinates than are specifically provided for in this charter or buy supplies beyond the sum furnished therefor by the Supervisors.

SEC. 6. No Supervisor and no officer or employe of the city and county shall be or become, directly or indirectly, interested in, or in the performance of, any contract, work, or business, or in the sale of any article, the expense, price or consideration of which is payable from the treasury; or in the purchase or lease of any real estate or other property belonging to, or taken by, the city and county, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the city and county. If any person in this section designated shall, during the time for which he was elected or appointed, acquire an interest in any contract with, or work done for, the city and

county, or any department or officer thereof, or in any franchise, right or privilege granted by the city and county, unless the same shall be devolved upon him by law, he shall forfeit his office, and be forever after debarred and disqualified from being elected, appointed or employed in the service of the city and county; and all such contracts shall be void, and shall not be enforceable against the city and county.

SEC. 7. No officer or employé of the city and county shall give or promise to give to any other person any portion of his compensation, or any money, or valuable thing, in consideration of having been, or of being, nominated, appointed, voted for, or elected to, any office or employment; and if any such promise or gift be made, the person making such gift or promise shall forfeit his office and employment, and be forever debarred and disqualified from being elected, appointed or employed in the service of the city and county.

SEC. 8. Any officer of the city and county who shall, while in office, accept any donation or gratuity in money, or other valuable thing, either directly or indirectly, from any subordinate or employé, or from any candidate or applicant for any position as employé or subordinate under him, shall forfeit his office; and be forever debarred and disqualified from holding any position in the service of the city and county.

SEC. 9. Every department, board and commission provided for in this charter, except the Supervisors, shall render to the Mayor within one month after the end of each fiscal year a full report of all the operations of such department or board or commission for such year.

SEC. 10. An office becomes vacant when the incumbent thereof dies, resigns, is adjudged insane, convicted of felony, or of an offense involving a violation of his official duties, or is removed from office, or ceases to be a resident of the city and county, or neglects to qualify within the time prescribed by law, or within twenty days after his election or appointment, or shall have been absent from the State without leave for more than sixty consecutive days.

SEC. 11. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance or this charter, shall be liable to the city and county individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

SEC. 12. The departments, boards, commissioners and officers provided for in this charter shall be entitled to the possession of all papers, books, documents, maps, plats, records and archives in the possession or under the control of those respectively who are superseded in office under this charter by such departments, boards, commissioners and officers.

SEC. 13. All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Certified copies or extracts from said books and records shall be given by the officer having the same in custody to any person demanding the same, and paying or tendering ten cents a folio of one hundred words for such copies or extracts; but the records of the Police Department shall not be subject to such inspection except permission be given by the Police Commissioners or by the Chief of Police.

SEC. 14. The Treasurer shall keep his office open for business every day, except legal holidays, from nine o'clock in the forenoon until four o'clock in the afternoon. Except where otherwise provided for by law, or by this charter, all other public offices shall be kept open for business every day, except legal holidays, from half-past eight o'clock in the forenoon until five o'clock in the afternoon; and, in addition thereto, from the first day of November until the last Monday of December in each year the office of the Tax Collector shall be kept open until nine o'clock in the evening.

SEC. 15. No person shall be eligible to or hold any office, or be clerk or deputy in any office or department, who has been found guilty of malfeasance in office, bribery or other infamous crime or who in any capacity has embezzled public funds.

SEC. 16. The fiscal year mentioned in this charter shall commence on the first day of July and end on the thirtieth day of June following.

SEC. 17. All moneys, assessments and taxes belonging to or collected for the use of the city and county, coming into the hands of any officer of the city and county, shall immediately be deposited with the Treasurer for the benefit of the funds to which they respectively belong. If such officer for twenty-four hours after receiving the same shall delay or neglect to make such deposit, he shall be deemed guilty of misconduct in office and may be removed.

SEC. 18. Any elected officer, except Supervisor, may be suspended by the Mayor and removed by the Supervisors for cause; and any appointed officer may be removed by the Mayor for cause. The Mayor shall appoint some person to discharge the duties of the office during the period of such suspension.

SEC. 19. When the Mayor shall suspend any elected officer he shall immediately notify the Supervisors of such suspension and the cause therefor. If the board is not in session he shall immediately call a session of the same in such manner as shall be provided by ordinance. The Mayor shall present written charges against such suspended officer to the board and furnish a copy of the same to said officer, who shall have the right to appear with counsel before the board in his defense. If by an affirmative vote of not less than fourteen members of the Board of Supervisors, taken by ayes and noes and entered on its record, the action of the Mayor is approved, then the suspended officer shall thereby be removed from office; but if the action of the Mayor is not so approved such suspended officer shall be immediately reinstated.

SEC. 20. When the Mayor shall remove an appointed officer from office, he shall im-

mediately notify the Board of Supervisors of such removal, and furnish it a statement of the cause therefor, which statement shall be entered in the record of its proceedings.

SEC. 21. Unless otherwise provided by law or by this charter, any officer, board or department authorized to appoint any deputy, clerk, assistant or employé, shall have the right to remove any person so appointed.

SEC. 22. All appointments of officers, deputies and clerks to be made under any provision of this charter must be made in writing and in duplicate, authenticated by the person or persons, board or officer making the same. One of such duplicates must be filed with the secretary of the Civil Service Commission and the other with the Auditor.

SEC. 23. Wherever it is provided in this charter that the members of any board, department or commission shall so classify themselves by lot that their terms of office shall expire at different times, such members shall, on the day of making such classification, cause the same to be entered in the records of their proceedings, and a copy thereof, certified by the secretary thereof and signed by all of said members, shall be filed with the Clerk of the Supervisors. In every case such classification must be made at the first meeting of the board.

SEC. 24. Every officer and every member of any board or committee provided for in this charter shall have the power to administer oaths and affirmations, and every such board, officer or committee shall have power to issue subpoenas, to compel by subpoena the production of books, papers and documents, and to take and hear testimony concerning any matter or thing pending before any such board, officer or committee. If any person so subpoenaed neglect or refuse to appear, or to produce any book, paper or document, as required by such subpoena, or shall refuse to testify before any such board, officer or committee, or to answer any question which any officer or a majority of such board or committee shall decide to be proper or pertinent, he shall be deemed in contempt, and any such board, officer or committee shall have power to take the proceedings in that behalf provided by the general laws of this State. The Chief of Police must, on request of such officer or of any member of any such board or committee, detail a police officer or officers to serve such subpoenas.

SEC. 25. All publications provided for in this charter must be made in the official newspaper only.

SEC. 26. All franchises and privileges heretofore granted by the city and county which are not in actual use or enjoyment, or which the grantees thereof have not in good faith commenced to exercise, are hereby declared forfeited and of no validity unless said grantees or their assigns shall, within six months after this charter takes effect, in good faith commence the exercise and enjoyment of such privilege or franchise.

SEC. 27. All ordinances or resolutions for the improvement of any street for which no contract shall have been entered into at the time this charter takes effect are hereby repealed.

SEC. 28. All ordinances, orders and resolutions of the Supervisors of the city and county in force at the time this charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed.

SEC. 29. When the Supervisors shall determine that the public interest requires the construction or acquisition of any permanent municipal building or improvement, the cost of which in addition to the other expenses of the city and county will exceed the income and revenue provided for the city and county for any one year, they must by ordinance passed by the affirmative vote of not less than fourteen members of the board submit a proposition to incur a bonded indebtedness for such purpose to the electors of the city and county at a special election to be held for that purpose only. All the provisions of this charter providing for the acquisition of public utilities, so far as the same are applicable, shall apply to the manner of submitting such proposition to the electors, to the limitations of said bonded indebtedness, to the issuance and character of the same, and to the time when and the kind of money in which said bonded indebtedness shall be payable. The proceeds of the sales of such bonds shall be paid into the treasury to the credit of the Public Building Fund.

SEC. 30. Every assistant deputy or other subordinate of any board, department or officer, shall discharge any of the duties pertaining to such department, board or office as his chief may assign him to.

SEC. 31. No member of the Board of Police Commissioners and no member of the Board of Fire Commissioners shall be eligible to any elective office while he is a member of such board, or for one year thereafter.

SEC. 32. No member of the Board of Police Commissioners and no member of the Board of Fire Commissioners, and no officer, subordinate, or employé of the Police Department or of the Fire Department, shall be a member of any partisan convention the purpose of which is to nominate candidates for office; nor shall either of them directly or indirectly electioneer, by soliciting votes or otherwise, for or against any candidate for office at any election, or for or against any candidate for nomination before any political convention, or for or against any candidate for delegate to such convention at any primary election; nor shall either of them be a member of any committee, club, or organization the purpose of which is to nominate or indorse candidates for office at any election; nor in any way attempt to influence or control such committee, club, or organization, while nominating or indorsing said candidates; nor take any part in the control, management or distribution of the political patronage of any public officer; nor shall any member of either of said boards, or any officer, subordinate or employé of either of said departments directly or indirectly attempt to control or in any manner influence the action of any officer, sub-

ordinate or employé of either of said departments at any general, special or primary election. And no officer, subordinate or employé of either of said departments shall levy, collect or pay any amount of money as an assessment or contribution for political purposes. Any person violating any of the provisions of this section shall be removed forthwith from his office or employment. If the violation be by a member of either of said boards the Mayor must remove such member; and if by an officer, employé or subordinate of either of said departments, then the board whose officer, employé or subordinate has been guilty of such violation, must remove such officer, employé or subordinate, and if such board fail or refuse to make such removal, then the Mayor must remove all members of the board who have so failed or refused.

SEC. 33. No deputy, clerk or other employé of the city and county shall be paid for a greater time than that covered by his actual service.

SEC. 34. The salaries provided in this charter shall be in full compensation for all services rendered, and every officer shall pay all moneys coming into his hands as such officer, no matter from what source derived or received, into the treasury of the city and county within twenty-four hours after receipt of the same.

SEC. 35. When any officer, board or department shall require additional deputies, clerks or employés, application shall be made to the Mayor therefor, and upon such application the Mayor shall make investigation as to the necessity for such additional assistance; and if he find the same necessary he may recommend to the Supervisors to authorize the appointment of such additional deputies, clerks or employés; and thereupon the Supervisors, by an affirmative vote of not less than fourteen members, may authorize such appointments, and provide for the compensation of such appointees, subject to the limitations contained in this charter, and subject to the provisions of Article XIII thereof.

SEC. 36. At any time between the first day of December, in the year one thousand eight hundred and ninety-nine, and the first day of January, in the year nineteen hundred, the person who, at the election held under this charter in the month of November next preceding, has been elected the Mayor of the city and county, shall make all the appointments provided by this charter to be made by him, and all the persons so appointed shall thereupon qualify as in this charter provided, and shall take office at the hour of noon on the first Monday after the first day of January in the year nineteen hundred, and all boards, commissions, and officers of the city and county holding by appointment under existing laws shall hold office no longer than said last aforesaid time.

SEC. 37. The balance remaining in the School Fund at the time this charter takes effect shall forthwith be transferred to the Common School Fund created by this charter. The balance remaining in the Library Fund at the time this charter takes effect shall forthwith be transferred to the Library Fund created by this charter. The balance remaining in the Park Improvement Fund at the time this charter takes effect shall forthwith be transferred to the Park Fund created by this charter. The balance remaining in the Unapportioned Fee Fund at the time this charter takes effect shall forthwith be transferred to the Unapportioned Fee Fund created by this charter. The balance remaining in the Police Relief and Pension Fund at the time this charter takes effect shall forthwith be transferred to the Police Relief and Pension Fund created by this charter. The balance remaining in the Surplus Fund at the time this charter takes effect shall forthwith be transferred to the Surplus Fund created by this charter. The balance remaining in the Special Deposit Fund at the time this charter takes effect shall forthwith be transferred to the Special Deposit Fund created by this charter. The balance remaining in the General Fund at the time this charter takes effect, the balance remaining in the Street Light Fund at the time this charter takes effect, the balance remaining in the Street Department Fund at the time this charter takes effect, the balance remaining in the Police Contingent Fund at the time this charter takes effect, the balance remaining in the Pound Fee Fund at the time this charter takes effect, and the balance remaining in the Special Fee Fund at the time this charter takes effect, shall each and every of them be forthwith transferred to the General Fund created by this charter. Out of the said General Fund shall be paid, as in this section hereinafter provided, all the expenses of the various departments of the city and county, except such expenses as are by this charter to be paid out of the funds specifically provided for the payment of such expenses. For the six months ending on the thirtieth day of June, in the year nineteen hundred, each and every of said departments shall expend the moneys set apart to each of them by the Board of Supervisors of the existing municipality. So much of said moneys set apart by said Board of Supervisors to the Superintendent of Public Streets, Highways and Squares for the fiscal year ending on said thirtieth day of June, in the year nineteen hundred, as shall remain unexpended at the time this charter takes effect, shall be expended during said six months by the Board of Public Works in the operations of the department committed to its charge. All the expenses of the city and county which are not to be paid out of specific funds shall be paid during said six months out of the General Fund. Should the moneys set apart by the Board of Supervisors of the existing municipality to any department of the city and county become or be exhausted at any time during said six months, or should any department created by this charter have no money specifically provided for it during said six months, then in each such case the expenses thereof shall be paid out of the General Fund, notwithstanding anything contained in sections six and seven of Chapter I of Article III of this charter. Such pensions as may accrue to firemen under Article IX of this charter during said six months shall be paid out of the General

Fund. The existing municipality mentioned in this section is the existing municipality of the City and County of San Francisco, and the several funds which are to be transferred as in this section provided are funds of said existing municipality. All the funds of said existing municipality not mentioned in this section, and which are authorized by law, shall be continued in the treasury until the necessity for their continuance ceases.

SEC. 38. When the necessity for maintaining any fund of the city and county in existence at the time this charter takes effect has ceased to exist, and a balance remains in such fund, the Supervisors shall so declare by ordinance, and upon such declaration such balance shall be forthwith transferred to the General Fund.

SCHEDULE.

This charter shall be published for twenty days in the San Francisco Call and in the Daily Report, daily newspapers of general circulation in the City and County of San Francisco, and after such publication, viz: on Thursday, the twenty-sixth day of May, in the year one thousand eight hundred and ninety-eight, it shall be submitted to the qualified electors of said City and County of San Francisco, at a special election, which shall be held on that day, for the sole purpose of voting upon the adoption of the same; and if a majority of the qualified electors of said city and county voting at said election shall ratify the same, it shall be submitted to the Legislature of the State of California for its approval or rejection. If the Legislature shall approve the same, it shall take effect and be in force, except as hereinafter otherwise provided, on and after the hour of noon on the first Monday after the first day of January in the year nineteen hundred, and shall thereupon become the charter and organic law of the City and County of San Francisco, and shall supersede the existing charter of said city and county, and all amendments thereof, and all laws inconsistent with this charter.

The form of ballots at said election shall be as follows: "For the New Charter—Yes," "For the New Charter—No."

For the sole purposes of the election of the officers directed in this charter to be elected by the people, this charter shall take effect on and after its approval by the Legislature, and the election of such officers shall be managed, conducted, and controlled by the Board of Election Commissioners in and for said city and county in office at the time of such election.

And for the sole other purpose of the Mayor elected under this charter making the appointments provided in this charter to be made by him, and of the qualification of the persons so appointed, this charter shall take effect on the first day of December, in the year one thousand eight hundred and ninety-nine.

BE IT KNOWN, That the City and County of San Francisco, containing a population of more than two hundred thousand inhabitants, on the twenty-seventh day of December, in the year one thousand eight hundred and ninety-seven, and under and in accordance with the provisions of Section 8, of Article XI, of the Constitution of this State, did elect the undersigned, a Board of Fifteen Freeholders, to prepare and propose a charter for said city and county; and we, the members of said board, in pursuance of such provisions of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, signed in duplicate, as and for the charter for said City and County of San Francisco.

IN WITNESS WHEREOF, we have hereunto set our hands in duplicate, this twenty-fifth day of March, in the year one thousand eight hundred and ninety-eight.

JOSEPH BRITTON, President.
JEROME A. ANDERSON.
JAMES BUTLER.
H. N. CLEMENT.
A. COMTE, JR.
ALFRED CRIDGE.
L. R. ELLERT.
ISIDOR GUTTE.
P. H. MCCARTHY.
JOHN NIGHTINGALE, JR.
JOHN C. NOBMANN.
JOSEPH O'CONNOR.
LIPPMANN SACHS.
EDWARD R. TAYLOR.
A. W. THOMPSON.

Attest: J. RICH'D FREUD, Secretary.

STATE OF CALIFORNIA, }
City and County of San Francisco. } ss.

This is to certify that we, James D. Phelan, Mayor of the City and County of San Francisco, and Thomas J. Glynn, County Recorder of said City and County, have compared the foregoing proposed and ratified charter with the duplicates mentioned therein, and find that the same is an exact copy thereof; and we further certify that the facts set forth in the preamble preceding said charter herein are true.

Dated, San Francisco, Cal., December 13, 1898.

JAMES D. PHELAN,
Mayor of the City and County of San Francisco.
THOS. J. GLYNN,
County Recorder of the City and County of San Francisco.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all the members elected to each House voting for and concurring herein), that said charter of the City and County of San Francisco, as presented to, and adopted and ratified by, the qualified electors of said city and county, be and the same is hereby approved as a whole, for and as the charter of said City and County of San Francisco.

The question being upon passage of Assembly Concurrent Resolution No. 6 (the ratification of the San Francisco charter).

The roll was called, and Assembly Concurrent Resolution No. 6 adopted and the charter ratified by the following vote:

AYES—Messrs Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Cargill, Chynoweth, Clark, Clough, Cobb, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKee, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentel, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—68.

NOES—Mr. Johnson—1.

Mr. Cobb moved that Assembly Concurrent Resolution No. 6 be immediately transmitted to the Senate.

So ordered.

APPOINTMENTS ON COMMITTEES.

The Speaker announced the appointment of Mr. Johnson on the Committee on State Prisons and Reformatory Institutions, and Mr. O'Brien on the Committee on Judiciary.

RECESS.

At eleven o'clock and forty minutes A. M., the Speaker declared a recess for fifteen minutes.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker pro tem. Anderson in the chair.

The Speaker announced the arrival of the Senate, and the two Houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 18, 1899. }

The hour of twelve o'clock meridian having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker pro tem. of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKee, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radchill, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—77.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker pro tem. of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, January 17, 1899, resulted in no election of United States Senator, and declared that an election of Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For *W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
 For *R. N. Bulla*—Senators Currier and Simpson—2.
 For *D. M. Burns*—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
 For *U. S. Grant, Jr.*—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
 For *G. A. Knight*—Senator Gillette—1.
 For *Irring M. Scott*—Senator Davis—1.
 For *Van R. Paterson*—Senator Taylor—1.
 For *John Rosenfeld*—Senator Feeney—1.
 For *Thomas L. Bard*—Senators Flint and Rowell—2.
 For *Stephen M. White*—Senators Ash, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—11.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.

G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	11 votes.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6
For M. M. Estee—Messrs. Anderson and Wade—2.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.
For C. N. Felton—Mr. Brown—1
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lanceie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.
For Marion De Vries—Messrs. Brooke and Burnett—2.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, L. D. Sullivan, Wardell, and White—18.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	79
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	21 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	2 votes.
Stephen M. White received	18 votes.
John Rosenfeld received	1 vote.

The Speaker pro tem. of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	116
Necessary to a choice	59
W. H. L. Barnes received	10 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	9 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	28 votes.
G. A. Knight received	2 votes.
Irving M. Scott received	2 votes.
Van R. Paterson received	2 votes.
Marion De Vries received	2 votes.
John Rosenfeld received	2 votes.
Thomas R. Bard received	2 votes.
Stephen M. White received	29 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker pro tem. of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For G. A. Knight—Senator Gillette—1.
For Irving M. Scott—Senator Davis—1.
For Van R. Paterson—Senator Taylor—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—11.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	11 votes.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner, and Muentner—6.
For M. M. Estee—Messrs. Anderson and Wade—2.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cospser, Melick, Miller of Los Angeles, Robinson, and Valentine—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lance, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Works—20.
For G. A. Knight—Mr. Boynton—1.
For Irving M. Scott—Mr. Dunlap—1.
For Van R. Paterson—Mr. La Barea—1.
For Marion De Vries—Messrs. Brooke and Burnett—2.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

Whole number of votes cast by Assemblymen.....	78
W. H. L. Barnes received	6 votes.
M. M. Estee received	2 votes.
R. N. Bulla received	7 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
G. A. Knight received	1 vote.
Irving M. Scott received	1 vote.
Van R. Paterson received	1 vote.
Marion De Vries received	2 votes.
Stephen M. White received	19 votes.

The Speaker pro tem. of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	115
Necessary to a choice.....	58
W. H. L. Barnes received.....	10 votes.
M. M. Estee received.....	2 votes.
R. N. Bulla received.....	9 votes
D. M. Burns received.....	25 votes
C. N. Felton received.....	1 vote.
U. S. Grant, Jr, received.....	27 votes.
G. A. Knight received.....	2 votes.
Irving M. Scott received.....	2 votes.
Van R. Paterson received.....	2 votes.
Marion De Vries received.....	2 votes.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	30 votes

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and forty minutes P. M., on motion of Senator Smith, the Joint Assembly was declared adjourned until twelve o'clock meridian of Thursday, January 19, 1899.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and forty-five minutes P. M., the Assembly reconvened.

Speaker pro tem. Anderson in the chair.

MINORITY REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1899.

MR. SPEAKER: The undersigned members of your Committee on Attachés, to whom was referred Senate Bill No. 199, providing for an increase in the number of Senate and Assembly attachés, recommend that the bill do not pass, for the following reasons:

We believe that the Belshaw Act provides a sufficient number of attachés to do all the work required, if they were all appointed with strict regard to the duties they have to perform.

While we believe that a majority of the attachés of the Assembly are competent and efficient, we believe if the same could be said of all there would be no occasion for an increase.

We believe that the insistent demands of party workers for recognition, and their own necessities, rather than the necessities of the State, are largely responsible for the present bill.

As proof of our position, we call attention to the fact that the business of the session of 1881 was transacted with one half the attachés provided for in the Belshaw Act; that each of the four sessions of 1881, 1883, 1885, and 1887, was conducted with less attachés than is allowed by the Belshaw Act. Yet the number of Senators and Assemblymen at each of these sessions was exactly the same as at the present time.

We submit herewith figures showing the number of attachés, and the weekly pay-roll of the Senate and Assembly, taken from page 573 of the Journal of 1895, except the figures for 1897, which were obtained from the State Controller's office:

Session of	SENATE		ASSEMBLY	
	Number of Attachés.	Weekly Pay-roll	Number of Attachés	Weekly Pay-roll
1881.....	32	\$1,125	40	\$1,274
1883.....	42	1,527	51	1,718
1885.....	45	1,967	75	2,565
1887.....	72	2,523	78	2,742
1889.....	93	3,513	100	3,458
1891.....	64	2,261	70	2,534
1893.....	96	3,331	109	4,002
1895.....	144	5,145	129	4,734
1897.....	98	3,266	133	5,057

We do not believe that the American people are degenerating at a rate so rapid that it requires three people to do the work to-day that one person accomplished twenty years ago.

We believe that the Belshaw Act was a solemn promise to the people of this State that the scandal attending the appointment of so many useless attachés two years ago should not be repeated.

We are in favor of keeping faith with the people of this State, and are unalterably opposed to any increase, and we believe it to be a useless waste of the public money.

FRANK P. MESERVE.

RECESS.

At twelve o'clock and fifty minutes P. M., Mr. Dibble moved to take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

At two o'clock P. M. the Assembly reconvened.

Speaker pro tem. Anderson in the chair.

Mr. Cosper was granted unanimous consent to make a report out of order.

REPORT OF SPECIAL INVESTIGATING COMMITTEE—(OUT OF ORDER).

MR. SPEAKER: The committee to whom was referred the investigation of the charges of using illegal methods to influence members of the Assembly in connection with the election of a United States Senator, with full power to act in the premises, and to issue subpoenas, bring witnesses and examine them as to facts, or the purported facts, set forth in a special resolution adopted January 16, 1890, beg leave to report:

That in pursuance of that resolution Milton J. Green has appeared in accordance with the request of the committee and given testimony, wherein he has revealed the fact that he is the political manager and financial agent of one of the candidates for United States Senator, to wit: U. S. Grant, Jr.

On further examination he has refused to answer questions of your committee as follows:

Q. (By Mr. Cosper.) Now, Mr. Green, in the First Assembly District of this State, where Mr. C. B. Jilson was elected to the Assembly, did you assist in any manner in the campaign in that district?

A. Now, Mr. Cosper, I am perfectly willing to state in substance that I did assist and make contributions in a number of the Assembly districts in this State, and in no instance were they accepted with the condition that they should vote for Mr. Grant, and I never asked a man to pledge himself for Mr. Grant.

Q. That is a blanket answer, and we would rather have specific answers to specific questions, in order to get at the point ourselves. Will you kindly answer that question without this general blanket answer?

A. Under the circumstances, Mr. Cosper, I must decline to answer that question; not but what I can answer it properly and satisfactorily. I have no personal reasons for refusing to answer it, because I do not consider that I made a single improper or illegitimate expenditure of money.

Q. Then, on what ground do you decline to answer it?

A. Upon the ground that I do not think it is a proper method of conducting the inquiry.

Q. Mr. Green, did you on behalf of Mr. Grant contribute anything to the election of Mr. Marvin in the Second Assembly District of this State?

A. For the reasons given in my answer to the previous question I must decline to answer. I have made no improper expenditure of money in this campaign, and rendered no improper assistance in any instance; never attempted to influence the action of a single member of the Legislature by the use of money or other influence.

Q. Your declination is on the same grounds, I presume?

A. Yes, sir.

Q. Did you contribute anything on behalf of Mr. Grant to the election of Cyrus H. Boynton, from the Third Assembly District in this State?

A. I decline to answer that question for the same reason.

Mr. Green has also refused in a like manner and for like reasons to answer any like questions concerning any Assembly District in the State.

Wherefore, your committee renders the foregoing report and request further instructions from the Assembly.

Respectfully submitted.

COSPER, Chairman.

RESOLUTION.

By Mr. Johnson:

Resolved, That in the judgment of the Assembly the questions asked of the witness Milton J. Green by the Special Committee on Investigation, regarding the election of a

United States Senator, were pertinent and proper to the inquiry being conducted by said committee, and should be answered by the said witness.

Resolution adopted.

SPECIAL ORDER.

Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employes of the Legislature.

The question being on the second reading of the bill.

The ayes and noes were demanded by Messrs. Caminetti, Burnett, and Mead.

The roll was called, and the bill ordered read second time by the following vote:

AYES—Messrs Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowder, De Lancia, Devoto, Dibble, Dunlap, Greenwell, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, and Works—49

NOES—Messrs. Boone, Brooke, Burnett, Caminetti, Dale, Fairweather, Feliz, Glenn, Griffin, Hoey, Mack, Mead, Meserve, Sanford, Stewart E. D. Sullivan, and White—17.

Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employes of the Legislature.
Read second time.

AMENDMENTS.

The following amendments were submitted:

By Mr. Valentine:

AMENDMENT No. 1.

Amend Section 1 by inserting a comma after the words "Sergeant-at-Arms," in line 10 of said section, in the printed copy of the bill.

Adopted.

By Mr. Belshaw:

AMENDMENT No. 1½.

Amend by striking out all of Section 1, from and including line 3 to and including line 34 of printed Senate Bill No. 199, and insert in lieu thereof the following:

SECTION 245. The officers and employes of the Senate shall consist of a President, a President pro tem., a Secretary, four Assistant Secretaries (who shall be appointed by the Secretary by and with the advice and consent of the Senate), one Sergeant-at-Arms, one Assistant Sergeant-at-Arms, one Bookkeeper to the Sergeant-at-Arms (who shall be appointed by the Sergeant-at-Arms by and with the advice and consent of the Senate), one Minute Clerk, two Assistant Minute Clerks, one Journal Clerk, one Assistant Journal Clerk, one Engrossing and Enrolling Clerk, two Assistant Engrossing and Enrolling Clerks (to be elected at the same time and in the same manner as the Engrossing and Enrolling Clerk is elected), two Assistant Engrossing and Enrolling Clerks (to be elected on the thirtieth day of the session), one History Clerk, one Assistant History Clerk, two Bill Filers, two Bill Clerks, a Chaplain, one Postmaster, one Assistant Postmaster one Mail Carrier (who shall be Mailing and Folding Clerk), one page to the President of the Senate, four Pages, three Gatekeepers, one Doorkeeper, one Gallery Doorkeeper, one Messenger to the State Printer, five skilled stenographers (who shall be typewriters and who shall be at the service of the Senate, its members and committees, and under the supervision of the Secretary of the Senate), one stenographer for the Finance Committee, one stenographer for the Judiciary Committee, one Messenger for the Finance Committee, one Messenger for the Judiciary Committee, three Porters, one Rear Porter, three Watchmen, one Janitress for the Ladies' Waiting Room, such committee clerks as the Senate may deem necessary, and there shall be no other officer, employes, or attachés, excepting that the Secretary may employ at any time temporary employes, by and with the consent of four fifths of the members elected to the Senate. Any of the officers and employes of the Senate, excepting the President and President pro tem., may be removed at any time by the Senate.

Amendment lost.

By Mr. Valentine:

AMENDMENT No. 2.

Strike out the words "who shall" in line 9 of Section 2 of the printed copy of the bill, and insert in lieu thereof "said bookkeeper to."

Adopted.

Also:

AMENDMENT No. 3.

Insert after the word "two," in line 13, Section 2, of the printed copy of the bill, the word "additional."

Adopted.

Also:

AMENDMENT No. 4.

Strike out the word "two" in line 20, Section 2, of the printed copy of the bill, and insert in lieu thereof the word "four."

Adopted.

Also:

AMENDMENT No. 5

After the word "electrician" in line 28, Section 2, of the printed copy of the bill, insert the words "one janitress."

Adopted.

Also:

AMENDMENT No. 6.

After the word "Assembly," in line 30, Section 2, of the printed copy of the bill, strike out the period and insert a comma, and add the following: "*provided*, that all appointments by the Speaker shall be first printed in the Journal and lie over one day before being acted upon by the Assembly. Any of the said officers and employes, excepting the Speaker and Speaker pro tem., may be removed at any time by the Assembly."

Mr. Belshaw moved to amend the amendment as follows:

Amend Section 2 by striking out in line 28 everything after the words "elevator attendant," and inserting in lieu thereof the following: "And no other officers, employes, or attachés are to be employed, excepting that the Clerk may employ at any time temporary employes, with the consent of four fifths of the members elected to the Assembly. Any of the said officers and employes, excepting the Speaker and Speaker pro tem., may be removed at any time by the Senate."

Amendment to amendment lost.

The question being on the adoption of the amendment.

Messrs. Belshaw, Radcliff, and Caminetti demanded the ayes and noes.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Belshaw, Boone, Boynton, Brooke, Caminetti, Clough, Courcy, Crowder, Dale, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hoev, Jilson, Knights, Le Baron, Mack, Marvin, Mead, Meserve, Milice, O'Brien, Radcliff, Robinson, Stewart, E. D. Sullivan, and White—32.

NOES—Messrs. Arnerich, Bliss, Blood, Brown, Cargill, Clark, Cobb, Devoto, Dibble, Dunlap, Henry, Huber, Johnson, Kelly, Kelsey, Kenneally, Knowland, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Raub, Rickard, Eugene Sullivan, Valentine, and Works—32.

Mr. Caminetti moved to amend amendment No. 6 as follows:

Add after word "Assembly," line 30, page 3, the words "upon a four-fifths vote thereof."

Mr. Dibble raised the point of order that the amendment submitted by Mr. Caminetti was in substance the same as the amendment offered by Mr. Belshaw.

The Speaker pro tem. ruled the point not well taken.

The question being on the motion to amend the amendment, by Mr. Caminetti.

Messrs. Caminetti, Brooke, and Boone then demanded the ayes and noes.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Belshaw, Blood, Boone, Brooke, Caminetti, Clough, Conrey, Crowder, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hoey, Jilson, Knights, Le Baron, Mack, Mead, Meserve, Mihce, O'Brien, Radcliff, Robinson, Stewart, and E. D. Sullivan—26.

NOES—Messrs. Arnerich, Atherton, Beecher, Bliss, Boynton, Brown, Cargill, Clark, Cobb, De Lancia, Devoto, Dibble, Dunlap, Henry, Huber, Johnson, Kelley, Kelsey, Kenneally, Knowland, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentert, Pierce, Raub, Rickard, Eugene Sullivan, Valentine, and Works—35.

CALL OF THE HOUSE.

Mr. Caminetti moved a call of the House, seconded by Messrs. Boone, Brooke, and Radcliff.

Motion lost.

MOTION AND POINT OF ORDER.

Mr. Caminetti moved that the vote whereby his amendment was lost be reconsidered.

Mr. Dibble raised the point of order that no intervening business had been transacted.

The Speaker pro tem. decided the point well taken.

By Mr. Valentine:

AMENDMENT No. 7.

Beginning with and including line 24, Section 3, of the printed copy of the bill, strike out all of the remainder of said section, and insert in lieu thereof the following: "To the Clerk, eight dollars per day; to the Assistant Clerks, Sergeant-at-Arms, Minute Clerk, Assistant Minute Clerks, Journal Clerk, Engrossing and Enrolling Clerk, File Clerk, and History Clerk, each six dollars per day; to the Assistant Sergeant-at-Arms, Bookkeeper to the Sergeant-at-Arms, Clerk to the Sergeant-at-Arms, Assistant Journal Clerk, Assistant Engrossing and Enrolling Clerks, and stenographers, each five dollars per day; to the Committee Clerks (except that one Clerk of the Ways and Means Committee and one Clerk of the Judiciary Committee shall each receive six dollars per day), Chaplain, Bill Clerk, Assistant Bill Clerks, Postmaster, Assistant Postmaster, Bill Filers, Engineer, and Electrician, each four dollars per day. To the Mail Carrier, Gatekeeper, Doorkeeper, Messenger to the Printer, Porters, Elevator Attendant, Fireman, Sergeant-at-Arms for the Ways and Means Committee, Sergeant-at-Arms for the Judiciary Committee, Janitress, and Watchman, each three dollars per day; to each Page, two dollars and fifty cents per day."

Amendment adopted.

Senate Bill No. 199 was ordered to print, engrossment, and third reading.

MOTIONS.

Mr. Dibble moved that Senate Bill No. 199 be made special order for to-morrow at ten o'clock.

So ordered.

Mr. Dibble moved that the Assembly adopt Joint Rules as printed in the Assembly Journal of January 17, 1899.

So ordered.

Mr. Dibble moved that the Chief Clerk notify the Senate of the action of the Assembly in adopting the Joint Rules.

So ordered.

ADJOURNMENT.

At four o'clock and five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned to nine o'clock and thirty minutes A. M. of Thursday, January 19, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 19, 1899. }

The Assembly met at ten o'clock and eight minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry

At ten o'clock and fifteen minutes P. M., the Speaker called Mr. Belshaw to the chair.

LEAVE OF ABSENCE.

Mr. Raw was granted leave of absence for the day, on motion of Mr. Radcliff.

APPROVAL OF JOURNAL.

The Journal of Tuesday, January 17, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1899.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 27—An Act prescribing the number of hours to constitute a day's labor in the sawmills of California, and prescribing a penalty for violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Also: Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Also: Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Also: Assembly Bill No. 85—An Act to prevent the blacklisting of employes

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MUENTNER, Chairman.

Assembly Bill No. 27 withdrawn at request of the author.

Assembly Bills No. 75, 83, 84, and 85 ordered on file for second reading.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 18, 1899.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Joint Resolution No. 4—Relative to the improvement of Humboldt Bay.

WHEREAS, The United States Government has expended a large sum of money in improving the bar at the entrance of Humboldt Bay; and

WHEREAS, The result has been to greatly increase the depth of water on said bar sufficient to admit the largest vessels, and has also tended to shoal the water in Eureka channel, and particularly at a point where all of the shipping interests on said bay, center; now, therefore, be it

Resolved by the Senate and the Assembly, jointly, That our Senators in Washington be instructed, and our Representatives be requested, to use all of their efforts to interest the War Department in taking immediate action toward dredging such channel, and in securing an appropriation sufficient to properly dredge the same; and be it further

Resolved, That a copy of this resolution be forwarded at once by the Secretary to each of our Senators and Representatives.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Joint Resolution No. 4 read and adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Radcliff: Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Read first time, and referred to Committee on Claims.

By Mr. Raw: Assembly Bill No. 315—An Act to provide for the election of Road Overseers or Superintendents, and describing the duties thereof.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Anderson: Assembly Bill No. 316—An Act for the prevention and eradication of contagious and infectious diseases among domestic animals, to prevent the spread of such diseases, and to quarantine diseased animals or infected districts, and appropriating money for carrying out the provisions of this Act.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Feliz: Assembly Bill No. 317—An Act to amend Section 628 of the Penal Code of the State of California.

Read first time, and referred to Committee on Fish and Game.

By Mr. Works: Assembly Bill No. 318—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3771 thereof, relating to the sale of property for the payment of delinquent taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 319—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 1237 thereof, declaring what constitutes the homestead; by amending Section 1243 thereof, providing how the homestead may be abandoned; and to repeal Section 1257 thereof, relating to the protection against legal process of a certain portion of the involuntary sale of the homestead.

Read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in

the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 321—An Act to amend Section 1383 of the Code of Civil Procedure of the State of California, relating to letters of administration.

Read first time, and referred to Committee on Judiciary.

By Mr. Rickard: Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Read first time, and referred to Committee on Election Laws.

Also (by request): Assembly Bill No. 323—An Act to provide for the nomination of candidates for public office, and the transaction, settlement, and control of certain affairs of political parties or organizations, by and through political conventions composed of delegates chosen at the general primary elections, or their proxies, and to regulate the conduct of such elections, and define and provide for definite political committees to cooperate therein, and to enforce said method of making such nominations.

Read first time, and referred to Committee on Election Laws.

By Mr. Beccher: Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Caminetti: Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining interests.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Boynton: Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State Fish Hatcheries at Sisson and Price Creek.

Read first time, and referred to Committee on Fish and Game.

By Mr. Brown: Assembly Bill No. 327—An Act to amend Sections 1797 and 1798 of the Code of Civil Procedure of the State of California, relating to guardians and wards.

Read first time, and referred to Committee on Judiciary.

By Mr. Jilson: Assembly Bill No. 328—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 737 thereof, relating to the salaries of Judges of the Superior Courts of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 330—An Act amending Sections 12 and 13 of an Act entitled "An Act to establish a uniform system of county and

township governments," approved April 1, 1897, relating to the levy of taxes and the issuance of bonds by the Boards of Supervisors of counties.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 331—An Act to amend Section 2653 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway taxes.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Knights: Assembly Bill No. 332—An Act to amend Section 1350 of the Code of Civil Procedure of the State of California, relating to executors.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 333—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 1745 and 1746 respectively, relating to the appointment of Public Administrators as guardians of the estates, or the persons and estates, of minors and insane persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Bill No. 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys in the San Francisco Depot Sinking Fund.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Caminetti: Assembly Bill No. 335—An Act to amend Section 3491 of the Political Code of the State of California.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Cosper:

Resolved, That the Secretary of State be and he is hereby authorized and directed to furnish to the Committee of Investigation such stationery and other supplies as may be required by said committee, the same to be upon the requisition of the chairman of said committee, and payable out of the Contingent Fund of the Assembly.

Read and adopted.

By Mr. Kenneally:

Resolved, That Subdivision 15 of Rule XXVI be amended by striking out the word "seven," and insert in place thereof the word "eight"

Read, and referred to committee on Rules and Regulations.

By Mr. Cosper:

Resolved, That the Secretary of State be and he is hereby instructed to purchase F. P. Deering's Annotated Codes of California, with Charles W. Palm Co.'s Code slips inserted at their proper places, together with California Code Citations—one set of each for the following named committees:

Banks and Banking, Corporations, County and Township Governments, Contested Elections, Education, Federal Relations, Military Affairs, Mines and Mining, Municipal Corporations, Roads and Highways, Swamp and Overflowed Lands, Ways and Means, and deliver the same to said committees upon an order of the chairman thereof—the same to be paid out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Ways and Means.

Mr. Caminetti moved that the Committee on Federal Relations be requested to report back all resolutions relating to the construction by the Federal Government of the Nicaragua Canal.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor Budd by the State Board of Examiners, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 108 ordered on second-reading file.

SPECIAL ORDER.

Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature.

Mr. Caminetti moved that Senate Bill No. 199 be recommitted to Mr. Valentine, with special instructions to amend the same as follows:

Add after the word "necessary," line 32, page 2, printed bill, the following: "upon four-fifths vote thereof."

Also, Add after word "Assembly," line 34, page 3, Section 2 of printed bill, the following: "and these shall not be effective unless confirmed by a four-fifths vote thereof"

Upon the motion, the ayes and noes were demanded by Messrs. Dibble, Radcliff, and Works.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Belshaw, Boone, Caminetti, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, La Barea, Mack, Mead, Melick, Meserve, O'Brien, Radcliff, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, and White—29

NOES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brown, Cargill, Clark, Cobb, De Lancie, Devoto, Dibble, Dunlap, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Rickard, Eugene Sullivan, Valentine, and Works—45.

EXPLANATION OF VOTE.

I am willing the Assembly should have all necessary attachés. The Belshaw Act, passed after the Duckworth scandal, when such a large number of useless attachés were put on, did not furnish sufficient help to carry on the business to the best advantage of the State. A special committee having been appointed has now determined what attachés are necessary. Having determined this number, I believe the bars should be put up and further hiring of employés be checked by a four-fifths clause in the law.

WALTER S. MELICK.

CONSIDERATION OF BILL.

Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brown, Cargill, Clark, Clough, Cobb, Cosper, De Lancie, Devoto, Dibble, Dunlap, Green, well, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Rickard, Eugene Sullivan, Valentine, and Works—48.

NOES—Messrs. Belshaw, Boone, Brooke, Caminetti, Conrey, Cowan, Crowder, Crowley, Dale, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, La Barea, Mack, Meserve, Milice, O'Brien, Radcliff, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, and White—27.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mead gave notice that he would to-morrow move a reconsideration of Senate Bill No. 199.

REPORT OF COMMITTEE ON JUDICIARY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1899.

MR. SPEAKER: Your Committee on Judiciary have had under consideration Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be designated as Section 354½, relating to misdemeanors—and report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354¼, relating to misdemeanors—and report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuance of search warrants—and report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant—and report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California—and report the same back with an amendment, and recommend its passage as amended.

JOHNSON, Chairman.

Assembly Bills Nos. 22, 23, 24, 25, and 113 ordered on file for second reading.

SECOND-READING FILE.

By Mr. Valentine: Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Read second time.

MOTION.

Mr. Valentine moved that the House go into Committee of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No. 62.

Carried.

IN COMMITTEE OF THE WHOLE.

Mr. Belshaw in the chair.

Assembly Bill No. 62 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Belshaw in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Belshaw stated the report of the Committee of the Whole as follows:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the

State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés—do now report the same back with amendments, and recommend that it do pass as amended.

Mr. Valentine moved to amend as follows:

AMENDMENT No. 1.

Amend Section 2 by striking out all after the word "appropriated," in line 2, and inserting in lieu thereof the following: "As full compensation for services rendered, the sum of five thousand dollars each, and in addition thereto their actual traveling expenses."

Amendment adopted.

Also: Amend section 3, line 17, by inserting after the word "return" the words "to the Controller."

CONSIDERATION OF BILLS—(RESUMED).

By Mr. Johnson: Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Passed on file.

By Mr. Cobb: Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Passed on file.

RECESS.

At eleven o'clock and forty minutes A. M., Mr. Dibble moved to take a recess until eleven o'clock and fifty-five minutes A. M.

So ordered.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened, Speaker pro tem. Anderson in the chair.

The Speaker pro tem. announced the arrival of the Senate, and the two houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 19, 1899. }

The hour of twelve o'clock meridian having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker pro tem. of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—39.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—79.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker pro tem. of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, January 18, 1899, resulted in no election of a United States Senator, and declared that an election of Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators	38
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	12 votes.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Messrs. Brooke and Burnett—2.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

Whole number of votes cast by Assemblymen.....	78
W. H. L. Barnes received.....	7 votes
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	18 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Irving M. Scott received.....	1 vote
Marion De Vries received.....	2 votes
Stephen M. White received.....	19 votes.

The Speaker pro tem. of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	116
Necessary to a choice.....	59
W. H. L. Barnes received.....	11 votes
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	25 votes.
C. N. Felton received.....	1 vote
U. S. Grant, Jr., received.....	27 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	2 votes
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes
Stephen M. White received.....	31 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and the President pro tem. of the Senate and the Speaker pro tem. of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

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The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

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For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Messrs. Brooke and Burnett—2.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Crowley, Fairweather, Felix, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

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John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	31 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., on motion of Senator Braunhart, the Joint Assembly was declared adjourned until twelve o'clock meridian of Friday, January 20, 1899.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and forty minutes P. M., the Assembly reconvened. Speaker pro. tem. Anderson in the chair.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 20, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.
Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Pierce was granted leave of absence for to-day and to-morrow, on motion of Mr. Brown.

APPROVAL OF JOURNAL.

The Journal of Wednesday, January 18, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 198—An Act to amend Section 1858 of the Political Code of this State—report the same back and recommend that it be referred to the Committee on Education.

Also: Assembly Bill No. 52—An Act to reduce the number of Superior Judges of San Bernardino County to one—report the same back, and recommend its passage.

Also: Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction—report the same back with a substitute, and recommend the adoption and passage of the substitute.

Also: Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure"—report the same back, with four amendments, and recommend its passage as amended.

JOHNSON, Chairman.

Assembly Bill No. 198 referred to Committee on Education.

Assembly Bill No. 52, Substitute for Assembly Bill No. 132, and Assembly Bill No. 149 ordered on second-reading file.

ON DAIRIES AND DAIRY PRODUCTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Committee on Dairies and Dairy Products, to whom was referred Assembly Bill No. 125—An Act to prevent deception in the sale of process or renovated butter.

Also: Assembly Bill No. 126—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of brands.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LE BARON, Chairman.

Assembly Bills Nos. 125 and 126 ordered on second-reading file.

At ten o'clock and twenty-five minutes A. M., the Speaker called Speaker pro tem. Anderson to the chair.

RESOLUTION.

By Mr. Dibble:

Resolved, That Mr. Johnson, of Sacramento, and Mr. Works, of San Diego, be added to the special committee appointed to investigate charges of corruption in connection with the Senatorial election.

Mr. Johnson moved that the name of Mr. Cobb be substituted for his own as a member of the committee.

Motion lost.

Mr. Hanley moved to lay the whole matter on the table.

Motion carried, and it was so ordered.

By Mr. Johnson:

WHEREAS, The special committee appointed to investigate charges regarding the methods used to influence the votes of Assemblymen in the selection of a United States Senator from California has reported that one Milton J. Green, a witness before said committee, after being duly sworn to answer questions, has refused to answer certain questions propounded to said Green; and

WHEREAS, The Assembly has heretofore decided that said questions were pertinent and proper; now, therefore, be it

Resolved, That said Milton J. Green be and he is hereby summoned to appear before the bar of the Assembly on the 20th day of January, 1899, at two o'clock and thirty minutes P. M., then and there to show cause, if any he has, why he should not answer said questions or be punished for contempt of the Assembly for failing so to answer said questions.

Resolution adopted.

REPORT OF SELECT COMMITTEE ON INVESTIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: We, the undersigned, your committee to whom was referred the investigation of the charges that illegal methods are being used to influence members of the Assembly in the matter of their votes for United States Senator, with full power to act in the premises, to subpoena and examine witnesses, beg leave to report:

That in pursuance of such resolution, adopted by the Assembly on January 16, 1899, under which we were appointed such committee, we undertook such investigation.

Among witnesses called was Milton J. Green, who refused to answer certain questions submitted to him. Such refusal to answer was reported to this Assembly on January 18, 1899, together with the questions so submitted for answer, and answers to which were refused by the said Milton J. Green.

The Assembly, by unanimous vote, declared said questions pertinent and proper to be asked of the said Milton J. Green, and directed that they should be answered. On returning to the committee room your committee duly notified Milton J. Green of the said action of the Assembly and re-submitted the said questions to him for answer, whereupon he again refused to answer them.

E. T. COSPER, Chairman.
W. S. MELICK.
J. B. SANFORD.
W. H. LA BAREE.
W. B. LARDNER.

RESOLUTION.

By Mr. Lardner:

WHEREAS, The Committee on Investigation appointed under the resolution of Mr. Johnson has no permanent room assigned to it to properly conduct its investigation; and

WHEREAS, The said committee has been compelled to change its sittings to different rooms, most of them inconvenient for its purpose; and

WHEREAS, The Sergeant-at-Arms of the Assembly has been unable to secure, permanently, a suitable room for such purpose, and desires the authority and direction of this House for said purpose; therefore, be it

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed and directed to secure a suitable and commodious committee room for the meetings of said investigating committee, and to supply the same with all necessary desks, tables, chairs, stationery, and such other supplies as may be needed.

Resolution adopted.

REPORT OF STANDING COMMITTEE.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 200—An Act to prevent monopolies in articles or commodities of common use, and prohibit restraints of trade and commerce, and providing penalties for violations of the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that said bill be referred to the Committee on Judiciary.

MUENTER, Chairman.

Referred to Committee on Judiciary.

At eleven o'clock and twenty minutes A. M., Speaker Wright resumed the chair.

MOTION TO RECONSIDER.

Previous notice having been given, Mr. Mead moved to reconsider the vote whereby Senate Bill No. 199 was passed by the Assembly on yesterday.

On the motion to reconsider, the roll was called, and carried by the following vote:

AYES—Messrs. Anderson, Belshaw, Bliss, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Meserve, Milce, Miller of

Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—57.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Cargill, Cobb, Dunlap, Greenwell, Jilson, McKeen, Muentner, Rickard, and Eugene Sullivan—15.

BILL REFERRED.

Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature.

Mr. Valentine moved that Senate Bill No. 199 be referred to a select committee of one to amend as follows:

Strike out of lines 34 and 35, Section 2, printed copy of bill, the words "excepting the Speaker and Speaker pro tem."

So ordered.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your select committee, appointed to amend Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature, with instructions—does now report that the instructions of the Assembly have been carried out

VALENTINE, Select Committee.

Report adopted.

SPECIAL ORDER.

Mr. Dibble moved that Senate Bill No. 199 be made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 43 withdrawn by the author.

REPORT OF COMMITTEE ON FEDERAL RELATIONS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 5—Relative to the construction of the Nicaragua Canal; and Assembly Joint Resolution No. 6—Relating to the Nicaragua Canal—having had the same under consideration, report the same back, under the order of the Assembly, without any recommendation.

Also, Senate Joint Resolution No. 6—Relative to the construction of navy yards and ship building, report the same back, and recommend that it be adopted.

Also: Assembly Joint Resolution No. 3—Relative to jetty at San Diego Bay—report the same back, and recommend that the Assembly concur in the Senate amendment thereto.

Also: Assembly Joint Resolution No. 5—Relating to the making of the Island of Molokoi a leper colony—report the same back, and recommend that it be adopted.

DALE, Chairman.

Assembly Concurrent Resolution No. 5, Assembly Joint Resolution No. 6, Assembly Joint Resolution No. 3, and Assembly Joint Resolution No. 5 ordered on third-reading file.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 19, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 3—Approving the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city, at a special election held therein for this purpose, on the 21st day of March, 1898

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Concurrent Resolution No. 3 ordered on third-reading file.
Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Concurrent Resolution No. 6—Approving the charter of the consolidated City and County of San Francisco, a municipal corporation, in the State of California, voted for and ratified by the qualified voters of said city and county, at a special election held therein for that purpose on the 26th day of May, 1898.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary

Assembly Concurrent Resolution No. 6 ordered to enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Cospér: Assembly Bill No. 336—An Act to amend Sections 354, 1489, 1492, 1497, and 1501 of the Political Code, relating to State Normal Schools.

Read first time, and referred to Committee on Education.

By Mr. Bliss: Assembly Bill No. 337—An Act to amend Section 2643 of the Political Code, relating to the duties of the Boards of Supervisors respecting roads.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 339—An Act to authorize the insurance of all property of the University of California held for purposes of income against damages or loss.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 340—An Act to amend the title to an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund"; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for the money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes, and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893; to amend Section 4 of the same Act, and to appropriate the sum of \$16,747 50 now in the University Fund and unavailable.

Read first time, and referred to Committee on Judiciary.

By Mr. White: Assembly Bill No. 341—An Act to add thirteen sections to the Political Code of this State, to be known and designated as Sections 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, and 1378, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 342—An Act to provide for an investiga-

tion by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Raub: Assembly Bill No. 343—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Dunlap: Assembly Bill No. 344—An Act to pay the claim of J. E. Atkinson against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Miller of Los Angeles: Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

Read first time, and referred to Committee on Claims.

By Mr. Stewart: Assembly Bill No. 346—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlements of accounts of trustees after distribution of estates, and to compensation of trustees.

Read first time, and referred to Committee on Judiciary.

By Mr. McDonald of Alameda: Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Warring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under contract with Guy H. Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Dibble: Assembly Bill No. 348—An Act to amend Sections 1 and 2 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 350—An Act to establish a State Board of Charities and Corrections, prescribe its duties, and appropriate money therefor.

Read first time, and referred to Committee on Commissions and Public Expenditures.

Also: Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in, the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 352—An Act relating to the disposition of

money belonging to deceased inmates of public institutions supported in whole or in part by State aid, and under the control of boards appointed by the Governor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the home of the Veterans' Home Association, approved March 7, 1883,' providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Devoto: Assembly Bill No. 355—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner," approved March 24, 1893, amended March 17, 1897, by amending Section 1 thereof, and adding a new section thereto, relating to Débris Commissioner and his duties.

Read first time, and referred to Committee on Mines and Mining Interests.

Also: Assembly Bill No. 356—An Act for the protection and propagation of shrimps.

Read first time, and referred to Committee on Fish and Game.

By Mr. O'Brien: Assembly Bill No. 357—An Act to amend Section 844 of the Code of Civil Procedure of the State of California, relating to summons in the Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 358—An Act to amend Section 407 of the Code of Civil Procedure of the State of California, relating to summons.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 359—An Act to amend Section 473 of the Code of Civil Procedure of the State of California, relating to relief from judgments, orders, or proceedings.

Read first time, and referred to Committee on Judiciary.

By Mr. Chynoweth: Assembly Bill No. 360—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 1296, in relation to jurisdiction of Superior Courts in probate over estates.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any state prison or state reformatory, or within the grounds of such institution, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. McDonald of Tuolumne: Assembly Bill No. 362—An Act

making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchases of State school lands.

Read first time, and referred to Committee on Claims.

By Mr. Huber: Assembly Bill No. 363—An Act to establish a uniform system of county and township governments.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Belshaw: Assembly Bill No. 364—An Act entitled an Act amending Section 204 of the Code of Civil Procedure of the State of California, concerning the selecting and returning of jurors.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish.

Read first time, and referred to Committee on Fish and Game.

By Mr. Hoey: Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the State of California, or any political subdivision thereof.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Caminetti: Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 371—An Act appropriating money for the maintenance of the Preston School of Industry for the fifty-first and fifty-second fiscal years, including salaries.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 372—An Act to amend an Act relating to commitment to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895.

Read first time, and referred to Committee on Judiciary.

By Mr. Mack: Assembly Bill No. 373—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds.

Read first time, and referred to Committee on Public Lands and Forestry.

By Mr. Eugene Sullivan (by request): Assembly Bill No. 374—An Act to amend Section 626 of the Penal Code, relating to game.

Read first time, and referred to Committee on Fish and Game.

By Mr. Rickard: Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Boynton: Assembly Bill No. 377—An Act to amend Section 632 of the Penal Code, relating to fish.

Read first time, and referred to Committee on Fish and Game.

By Mr. Atherton: Assembly Bill No. 378—An Act to prevent adulteration, fraud, and deception in the manufacture and sale of articles of food, to enlarge the powers of the State Dairy Bureau, to secure its enforcement, and to appropriate money therefor.

Read first time, and referred to Committee on Public Health and Quarantine.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into joint session.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 20, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

AYES—Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—79.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, January 19, 1899, resulted in no election of a United States Senator, and declared that the election of Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senator Davis—1.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	4 votes
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	12 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Este—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Rickard, Eugene Sullivan, and Wright—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For John Rosenfeld—Mr. Crowley—1.

For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. O. Sullivan, Wardell, and White—19.

Whole number of votes cast by Assemblymen	78
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	19 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	115
Necessary to a choice	58
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	31 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO ADJOURN,

Assemblyman O'Brien moved that the Joint Assembly adjourn until Saturday, January 21, 1899, at twelve o'clock meridian.

Motion lost.

The President pro tem. of the Senate and the Speaker of the Assembly directed that the Joint Assembly do now proceed to another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senator Davis—1.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
Irving M. Scott received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	12 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Rickard, Eugene Sullivan, and Wright—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	77
W. H. L. Barnes received.....	7 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	18 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	18 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	114
Necessary to a choice.....	58
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	25 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	27 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	30 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., on motion of Assemblyman Belshaw, the Joint Assembly was declared adjourned until twelve o'clock M. of Saturday, January 21, 1899.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and forty minutes P. M., the Assembly reconvened. Speaker Wright in the chair.

RECESS.

At twelve o'clock and fifty minutes P. M., on motion of Mr. McDonald of Alameda, the Assembly took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock and thirty minutes P. M. Speaker pro. tem. Anderson in the chair.

SPECIAL ORDER.

In re Milton J. Green, summoned to appear at the bar of the House.

COMMUNICATION.

SACRAMENTO, January 20, 1899.

This is to certify that I have this day professionally attended Mr. Milton J. Green, and that he is suffering with fever, complicated with gastric disturbance. I further certify that he cannot attend on the Assembly to-day without danger of seriously complicating his sickness and jeopardizing his chances of recovery.

Respectfully,

F. W. HATCH, M. D.

Mr. Johnson moved that the matter be continued until Monday, January 23, 1899, at two o'clock and thirty minutes P. M., and that the Sergeant-at-Arms be requested to notify Mr. Green of said action of the House.

MOTION.

Mr. Crowder moved that Assembly Bill No. 245 be recalled from Committee on Public Buildings and Grounds and re-referred to Committee on Education.

So ordered.

RESOLUTIONS.

By Mr. O'Brien:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to remove the decayed evergreen decorations which now deface the galleries and pillars of this House.

Resolution adopted.

By Mr. Devoto:

Resolved, That the Sergeant-at-Arms be and he is hereby required to keep in his office a special and complete file of all printed Assembly bills, for the use and benefit of the members of the Assembly in the event of a loss of any bill or bills off the regular file.

Resolution adopted.

At two o'clock and forty minutes p. m., the Speaker pro tem. called Mr. Dibble to the chair.

STATEMENT.

Mr. Melick requested that the following statement be printed in the Journal.

So ordered.

I desire to present this written statement to the Assembly in reference to my position as a member of the Special Investigating Committee, appointed under resolution of January 16, 1899. At the time the committee was appointed, I ascertained then that there was no member appointed who was voting for Hon. D. M. Burns or Hon. U. S. Grant for United States Senator; also, that there were two men on the committee who were voting for Hon. R. N. Bulla. Believing that the committee should have represented all interests involved in the Senatorial contest, I requested that I be released and relieved from acting on the committee, which request, however, this Assembly saw fit to refuse. Recent developments have confirmed my belief that on the committee should be at least one member voting for each of the leading candidates for United States Senator. I accordingly, this morning, requested that the committee be enlarged and such additional members be added to the committee. When the Assembly refused my request I felt I could no longer, in justice to myself and the candidacy of Hon. R. N. Bulla, act on the committee. Since the adjournment of the morning session, however, I have consulted Senators Nutt, Jones, Smith, and Cutter and Assemblymen Works, Johnson, Devoto, and Kelsey, and these and other members all insist that it is my duty to remain on the committee. In accordance with their request and their expressions of belief that it was my duty to remain on the committee, I have decided to continue to act with the committee in its further work, but I desire to again enter and record my protest against the committee acting any further in the investigation unless there is added to it a representative of the Hon. D. M. Burns and a representative of the Hon. U. S. Grant, in order that, whatever report the committee should hereafter file and present, such report will be received with approval by all the members of the Assembly.

SECOND-READING FILE.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Passed on file.

Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Read second time, and ordered to engrossment.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material and the manufacture in penal institutions in the State of California of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Read second time.

Mr. Lardner moved to amend as follows:

Amend Section 1 by striking out all the last part of Section 1, including the words "any contract for a greater number of hours' labor in one day shall be void, without regard to the terms of employment, whether the same be by the hour, day, week, or month, or any other period of time."

Roll call demanded by Messrs. Sanford, Caminetti, and Robinson.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anderson, Beecher, Bliss, Boynton, Brooke, Cargill, Clough, Conrey, Crowder, Greenwell, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Melick, Milice, Radcliff, Raw, Robinson, and Valentine—22.

NOES—Atherton, Blood, Boone, Burnett, Caminetti, Cowan, Crowley, Devoto, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, La Barea, Mack,

McDonald of Tuolumne, McKeen, Merritt, Meserve, Miller of San Francisco, Muentert, O'Brien, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and Works—34.

Bill ordered to engrossment and third reading.

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Ordered to printer for correction, and to retain its place on file.

Assembly Bill No. 85—An Act to prevent the blacklisting of employees.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd, by the State Board of Examiners, and to appropriate money therefor.

Read second time.

Mr. Dunlap moved that the House resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 108.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Dibble in the chair.

Assembly Bill No. 108 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Dibble in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor, and do now report and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Ordered to engrossment and third reading.

Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package, bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read second time.

COMMITTEE AMENDMENT.

"Strike out all of Section 2"

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

COMMITTEE AMENDMENT.

"Strike out all of Section 2."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issue of search warrants.

COMMITTEE AMENDMENT.

"Strike out all of Section 2."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

COMMITTEE AMENDMENT.

"Strike out all of Section 2."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

COMMITTEE AMENDMENT.

"Strike out all of Section 2."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Mr. Anderson moved that the Assembly do now take up and consider Substitute for Senate Concurrent Resolution No. 3.

So ordered.

SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 3

Approving the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city, at a special election held therein for this purpose, on the 21st day of March, 1898.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each House voting for and concurring herein). That the charter of the City of Vallejo, as presented to and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole, for and as the charter of the said City of Vallejo aforesaid.

WHEREAS, The City of Vallejo, a municipal corporation, in the County of Solano, State of California, is now, and was at all the times herein referred to, a city containing a population of more than three thousand and five hundred inhabitants, and not more than thirty thousand inhabitants; and

WHEREAS, At a special municipal election, duly held in said city on Monday, March 21, 1898, in accordance with law and the provisions of Section 8 of Article XI of the Constitution of said State, a board of fifteen freeholders, duly qualified, was elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city; and

WHEREAS, The same was, on June 17, 1898, signed in duplicate by all the members of said board of fifteen freeholders, and was, on said last named day returned, one copy thereof to the President of the Board of City Trustees of said city, and the other to the County Recorder of Solano County; and

WHEREAS, Such proposed charter was then published in one daily newspaper of general circulation in said City of Vallejo, to wit: The Vallejo Morning Times, for more than twenty days, such publication in each instance having commenced on said July 9, 1898; and

WHEREAS, Said charter was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said City of Vallejo, to wit: the President and Board of City Trustees thereof, to the qualified electors of said city at a special election, previously duly called, and thereafter held therein, on December 8, 1898; and

WHEREAS, The returns of said election were duly canvassed by said President and Board of City Trustees of said City of Vallejo at a meeting held on Friday, December 9, 1898 (which said meeting was duly convened); and

WHEREAS, At said special election a majority of such qualified electors of said city, voting at such special election, did vote in favor of and ratify said charter so proposed; and

WHEREAS, Said President and Board of City Trustees, after canvassing said returns, duly found and declared that a majority of such qualified electors voting at said special election had voted for and ratified said charter; and

WHEREAS, The same is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of Section 8 of Article XI of the Constitution of said State; and

WHEREAS, the said charter so ratified is in the words and figures following, to wit:

ARTICLE 1.

BOUNDARIES, RIGHTS, AND LIABILITIES.

SECTION 1. The municipal corporation now existing and known as the City of Vallejo shall remain and continue a body politic and corporate, in name and in fact, by the name of the City of Vallejo, and by that name shall have perpetual succession; may sue and defend in all courts and places and in all matters and proceedings whatever; may have and use a common seal and alter the same at pleasure; may purchase, receive, hold, and enjoy real and personal property within and without its boundaries, and all ditches, rights of way, reservoirs, water rights, and property of every description necessary or convenient to supply said city with water, and for proper sewerage and drainage of the city; receive bequests, gifts, and donations of all kinds of property, in fee simple or in trust, for charitable and other purposes, and do all acts necessary to carry out the purposes of such gifts, bequests and donations, with power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust, and shall have the right to construct, own, and maintain docks, wharves, piers, and slips, and to collect tolls thereon; and to own and manage its own system of lighting the city.

SEC. 2. The said corporation shall be vested with the control and management of all property, real and personal, of every name and nature and description now owned, controlled, or managed by the Board of Education of the township of Vallejo, or by the high school board of said township, lying within the limits of the City of Vallejo, or of any property that may hereafter be secured by said city or the Board of Education for school purposes; *provided*, that nothing in this section shall ever be construed as depriving any child, of proper school age, residing in the township of Vallejo, of the right to attend said schools. And for the purpose of more fully carrying out the full intention of this section, the Board of Supervisors of Solano County shall annex to the school district of the City of Vallejo, for school purposes only, all the territory lying outside of said school district of Vallejo, and comprised within the township of Vallejo, *provided*, further, that no school district now organized and supported as such under the law of the State of California shall be annexed, unless on application of a majority of the heads of families residing in said district, as shown on the last report of the school census marshal of the district, and said application must be presented by petition to the Board of Supervisors of Solano County; and whenever such petition is presented in proper form to said board they shall annex such school district to the school district of the City of Vallejo, for school purposes only.

SEC. 3. 1. The corporate limits of the City of Vallejo shall be as follows: Commencing at a point where Magazine Street intersects with the water front; thence along the south side of Magazine Street to the east side of Sixth Street; thence along Sixth Street to the south side of Benicia Avenue; thence along Benicia Avenue to the east side of Ninth Street, thence along Ninth Street to Solano Avenue; thence running northerly along Contra Costa Street, until the same meets the northern line of section eighteen in township three north, range three west, of Mount Diablo meridian; thence west along the United States section line to a point in the Bay of San Pablo one half of a mile distant from the general western shore-line of Mare Island and the salt marsh; thence southerly in a line parallel with said shore-line to the center of the Straits of Carquinez, and following up the center of the Straits of Carquinez to a point due south to the point of beginning; and thence in a straight line to the point of beginning.

The streets and avenues herein mentioned have reference to the map of the City of Vallejo drawn by E. H. Rowe, in the year eighteen hundred and sixty-eight, and now on file for record in the office of the County Recorder of Solano County.

2. The city shall be and is hereby divided into three wards, the respective boundaries of which shall be as follows, to wit:

First Ward—All that portion of the city lying north of the center line of Virginia Street.

Second Ward—All that portion of the city lying between the center line of Virginia Street and the center line of Solano Avenue.

Third Ward—All that portion of the city lying south of Solano Avenue.

Said boundaries shall remain as above described until the Board of Trustees shall, by ordinance, change the same; *provided*, that the boundaries of wards shall not be changed oftener than every five years.

SEC. 4. The City of Vallejo shall continue, under this charter, to have, hold, and enjoy all property, rights of property, rights of action of every nature and description of the existing municipality, and is hereby declared to be the successor of the same; and suits, actions, and proceedings may be brought in the name of the city for the recovery of any property, money, or thing belonging thereto, in law or equity, or dedicated to public use therein, or for the enforcement of any rights of, or contracts with, the city, whether made or arising or accruing before or after the adoption of this charter. All existing suits, actions, and proceedings, in the courts or elsewhere, to which the city is a party, shall continue to be carried on by or against the city.

SEC. 5. Except on such streets as have been accepted, no recourse shall be had against the city for damage or loss to person or property suffered or sustained by reason of the defective condition of any sidewalk, street, avenue, lane, alley, court, or place, or by reason of the defective condition of any sewer, or by reason of any defective drainage, whether any of said defects originally existed, or whether they were occasioned by construction, excavation, or embankment; nor shall there be any recourse against the city for want of repair of any sidewalk, street, avenue, lane, alley, court, or place, or by want of repair of any sewer; nor shall there be any recourse against the city for damage to person suffered or sustained by reason of accident on any sidewalk, street, avenue, lane, alley, court, or place, or by falling from any embankment thereon or into any excavation therein; but in any such case the person or persons on whom the law may have imposed the obligation to repair such defect in the sidewalk, street, or public highway, or in the sewer, and also the officer or officers through whose official negligence such defect remains unrepaired, shall be jointly and severally liable to the party injured for the damage sustained.

ARTICLE II.

EXECUTIVE DEPARTMENT.

SEC. 6. The following-named officers are herein provided for, and they shall be elected or appointed, as in this Charter provided: A Mayor; a Board of City Trustees, to consist of five members; a Board of School Directors, to consist of five members; a Board of Free Library Trustees, which shall consist of five members; a Board of Public Works, to consist of three members; a Board of Health, to consist of five members; a City Clerk, who shall be clerk to the Commissioners of Public Works, and water rent collector; a Treasurer, who shall be ex officio Tax Collector and License Tax Collector; a City Engineer; a City Attorney; an Auditor, who shall be ex officio Assessor; a Superintendent of the Water Department, who shall be ex officio Superintendent of Streets; a Deputy Superintendent of the Water Department; a Chief of Police; a Chief Engineer of the Fire Department.

ARTICLE III.

LEGISLATIVE DEPARTMENT—THE BOARD OF CITY TRUSTEES.

SEC. 7. The legislative power of the City of Vallejo shall be vested in a legislative body, which shall be designated the Board of City Trustees.

SEC. 8. The Board of City Trustees shall consist of five members, whose term of office shall be four years. Two members shall be nominated from the First Ward, two members from the Second Ward, and one member from the Third Ward and they shall be elected at large. Each one must be at the time of his nomination an elector of the city, and must have been such for at least three years next preceding his election, and must be a bona fide resident of the ward from which he is nominated, and have been such for at least six months next preceding his election.

SEC. 9. The Board of City Trustees shall upon holding their first meeting under this charter elect a president from their own number, who shall preside at all meetings of the board in the absence of the Mayor.

SEC. 10. A majority of all the members of the board shall constitute a quorum, but a less number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the board may prescribe.

SEC. 11. The board shall establish rules for its proceedings and have authority to punish its members for disorderly or contemptuous behavior in its presence.

All meetings of the board shall be public, and a journal of its proceedings shall be kept by the City Clerk under its direction, and the ayes and noes shall be taken and entered in the journal in the final action upon the granting of franchises, making of contracts, passage of any ordinance, or resolution ordering work to be done, supplies furnished, the ordering of assessments for street improvements, or building of sewers, and in all other cases upon the call of any member; all balloting for officers or confirmation of appointments must be by viva voce.

SEC. 12. The board shall meet on the first and third Wednesdays of each month, or if that day be a legal holiday, then on the next day. The board shall not adjourn to any other place than its regular place of meeting, except in case of great necessity or emergency. The first meeting of each board shall be held on the first Monday in April of the year in which they were elected.

SEC. 13. The clerk of the board, when required to do so, shall administer oaths and affirmations without charge, in all matters pertaining to the affairs of his office, and shall perform such other services as may be prescribed by the board or this charter. He shall have the custody of the seal, and of all leases, grants, and other documents, records, and papers of the city. His signature shall be necessary to all leases, grants, and conveyances of the city.

SEC. 14. The Board of City Trustees may from time to time appoint, out of their own body, such and so many committees, either of a special or general nature, and consisting of such a number of persons as they think fit for any purposes, which, in the opinion of the Trustees, would be better regulated or managed by means of such committees; but the acts of every such committee shall be submitted to the Trustees for approval. Whenever any matter is referred to a committee for investigation or action, said committee shall meet and give the matter such attention as it may require, but no committee shall have power to make any purchase or incur any indebtedness in the

name of the city, without first having reported to the board, in regular or special session, the result of their investigation, when the board shall take such action on their report as they may think proper. The board shall not recognize any report that is not made in writing and signed by at least a majority of the members of the committee; except such report be made as a minority report; and no committee shall expend more, or incur any greater indebtedness than they were authorized to by a vote of the board, without having first obtained the consent of the board. All indebtedness incurred contrary to this provision shall be forever void. Standing orders may be made by the Trustees regarding the proceedings and reports of the committees.

SEC. 15. Every legislative act of the city shall be by ordinance. The enacting clause of every ordinance shall be in these words: "Be it ordained by the people of the City of Vallejo, as follows." No ordinance shall be passed except by bill, and no bill shall be so amended as to change its original purpose.

SEC. 16. No bill shall become an ordinance, nor resolution be adopted, unless finally passed by a majority of all members of the board and the vote be taken by ayes and noes and the names of the members voting for and against the same be entered in the Journal, and approved by the Mayor.

SEC. 17. No ordinance shall be revised, reenacted, or amended by reference to its title, but the ordinance to be revised or reenacted, or the section thereof amended, shall be reenacted at length as revised or amended.

SEC. 18. An ordinance shall embrace but one subject, which subject shall be expressed in its title. If any subject be embraced in an ordinance and not expressed in its title, such ordinance shall be void only as to so much thereof as is not expressed in its title.

SEC. 19. When a bill is put upon its final passage in the board and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be acted upon before the expiration of twenty-four hours after adjournment. No bill for the grant of any franchise shall be put upon its final passage within ninety days after its introduction, and no franchise shall be renewed before one year prior to its expiration. Every ordinance shall, after amendment, be laid over for one week before its final passage.

SEC. 20. Every bill or resolution providing for any specific improvement, or the granting of any franchise or privilege, or involving a lease, appropriation, or disposition of public property, or the expenditure of public money, except sums less than two hundred dollars, or levying any tax or assessment, and every ordinance providing for the imposition of a new duty or penalty, shall, after its introduction, be published in one newspaper, with the ayes and noes, for at least five consecutive days (Sundays and legal holidays excepted) before final action upon the same. If such bill be amended, the bill as amended shall be advertised for a like period before the action thereon. But in cases of great necessity the officers and heads of departments may expend such sums of money, not to exceed two hundred dollars, as shall be necessary to meet the requirements of such necessity.

SEC. 21. No ordinance shall take effect until ten days after its passage, unless otherwise provided in such ordinance.

SEC. 22. All ordinances and resolutions shall be deposited with the clerk of the board, who shall record the same at length in a suitable book.

SEC. 23. No ordinance shall be repealed, except by ordinance adopted in the manner hereinbefore set out.

SEC. 24. Except as provided in this charter, all demands payable out of the treasury must, before they can be approved by the Auditor, or paid by the Treasurer, be first approved by the Board of Trustees.

SEC. 25. All books, papers, vouchers, franchises, contracts, bonds, and public documents of every name and description, belonging to the board or any officer of the city, shall be open for the inspection of the public during business hours, and no member of the board, clerk, or any elective officer or employé of the city, shall remove, or allow any one to remove from the office where it properly belongs, any book, paper, voucher, franchise, contract, bond, or other public document of any name or description belonging to the board or any officer of the city, except on the order of a legally organized court, or by order of the board when required for examination or investigation; any violation of this section shall constitute a misdemeanor, and each officer is charged with a knowledge of all books, papers, and documents, whatsoever, placed in his official charge.

SEC. 26. Whenever there shall be presented to the Board of Election Commissioners a petition signed by a number of voters equal to fifteen per centum of the votes cast at the last preceding state or city, county, state and county or city election, asking that an ordinance, to be set forth in such petition, be submitted to a vote of the electors of the city, the Board of Election Commissioners must submit such proposed ordinance to the vote of the electors at the next election.

The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, and occupation. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

The tickets used in such election shall contain the words, "For the Ordinance" (stating the nature of the proposed ordinance), and "Against the Ordinance" (stating the nature of the proposed ordinance).

If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the Board of Election Commissioners shall, within thirty days from the time of such election, proclaim such fact, and upon such proclamation such ordinance

shall have the same force and effect as an ordinance passed by the Trustees, and the same shall not be repealed by the Trustees. But the Trustees may submit a proposition for the repeal of such ordinance, or for amendments thereto, for vote at any succeeding election; and should such proposition, so submitted, receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly.

SEC. 27. The Mayor shall preside at all meetings of the board, but shall not have the right to vote.

Ordinances and resolutions are the formal acts of the board reduced to writing and passed under legal restrictions governing action thereon; orders embrace all other acts, which, being less formal in character, require only to be duly passed by the board and spread upon the minutes. No order, resolution, or ordinance shall have effect without the approval of the Mayor.

In case of orders the approval shall be presumed, unless at the same meeting at which the order was passed, the Mayor causes his disapproval, with his reasons therefor, to be spread upon the minutes. All resolutions and ordinances after passage must be certified to by the president of the board, and the City Clerk, and shall be submitted to the Mayor, who shall within five days after he has received the same indorse his approval or disapproval thereon, giving the reasons for his disapproval in writing. If he shall sign the same it shall then become an ordinance, but if he shall disapprove the bill he shall state his objections thereto in writing. If the resolution or ordinance is not returned with such approval or disapproval within the time specified, it shall take the same effect as if he had approved the same; *provided*, that when any ordinance or resolution be referred to the Mayor for his approval, within ten days of the end of any term, if he fails to return the same to the board, with his approval or disapproval, within five days after he has received the same, it shall become a law as though he had approved it.

ARTICLE IV.

POWERS AND DUTIES OF THE TRUSTEES.

SEC. 28. Subject to the provisions, limitations, and restrictions in this charter contained, the Board of Trustees shall have the power:

1. To manage and control the finances of the city.
2. To sell, use, lease, control, improve, and take care of the real estate and personal property; *provided, however*, that said board shall have no power to hypothecate any property of said city, for any purpose whatever; *be it further provided*, that nothing in this charter shall authorize, warrant, or empower said board to ever sell, lease, or assign, convey, mortgage, or hypothecate any part of, or interest in, the water system, or any property belonging thereto, or any rents or income therefrom, now belonging to the City of Vallejo or that may hereafter be acquired by said city, but the Board of City Trustees may rent, from year to year, such lands in Green and Wild Horse valleys, as they may think proper and that will not endanger the safety, supply, or quality of the water required for public use.
3. To make and enforce within the limits of the city, all necessary local, police, sanitary, and other laws and regulations.
4. Except as otherwise provided in this charter, or in the Constitution of the State of California, to regulate and control, for any and every purpose, the use of the streets, highways, wharves, piers, chutes, public thoroughfares, public places, alleys, and sidewalks of the city.
5. To permit the laying down of railroad tracks and running cars thereon, along any street or portion of a street, for the sole purpose of excavating and filling in a street or portion of a street or adjoining land, for such limited time as may be necessary for such purpose, and no longer. Such tracks must be laid level with the street and must be operated under such restrictions as not to interfere with the use of such streets by the public.
6. To fix the limits within which wooden buildings or structures shall not be erected, placed, or maintained, and to prohibit the same within such limits. Such limits when once established shall not be changed except by extension.
7. To provide for the draining, grading, paving, improvement, and repairs of streets and alleys, and the construction of sidewalks, drains, and sewers therein, and keeping the same in repair, and the cleaning of the streets, drains and sewers, and the prevention and removal of obstructions on the sidewalks, and on all streets, alleys, and public grounds of the city.
8. To provide for lighting, watering, and cleaning the streets of the city. No contract for lighting the streets, public buildings, places, or offices, shall be made for a longer period than one year, nor shall any contract be made to pay for gas, electric lights, or any other illuminating material, at a higher rate than is charged to any other consumer; and every person or corporation furnishing the city with any kind of light from gas, electric or any other illuminating power or substance for lighting the streets, or public offices, or buildings, shall be required to furnish the city with the full power and quality of illumination which they are by their contract obliged to furnish. The Auditor shall audit no bill for lighting the streets, offices or public buildings, unless said bill is accompanied by the affidavit of the owner (if it be a private enterprise), or the president of the company (if it be a corporation), setting forth that all the provisions of the contract or agreement have been fully and unequivocally complied with, and it shall be the duty of the Mayor to have the power or strength of said illuminating substance

tested as often as in his judgment the interests of the city shall require it; and if it be shown that the gas lamps, or electric lights, or any other illuminating substances, have not been furnishing to the city the candle-power stipulated in said contract, the Board of City Trustees shall declare the contract forfeited, and shall impose such other penalty as in their judgment may seem proper.

9. The Trustees may, on the written recommendation of the Commissioners of Public Works, change the grade of any street or street crossing in the manner and to the grade set out in such recommendation; but no grade shall be changed unless proceedings are taken by way of providing compensation to those who may suffer damages by such change of grade, and all such proceedings shall be taken in conformity with the provision of the general law of the State or this charter provided for the making of such improvements; *provided*, that the grade heretofore adopted by the Board of Trustees shall be and is hereby established as the grade of the streets and alleys of said city.

10. To require any lands or buildings to be cleaned at the expense of the owner or occupant, and upon his default may do the work and assess the expense upon the land or building.

11. To regulate the Police Department.

12. To establish and regulate a Fire Department.

13. To regulate the keeping and use of animals; and the keeping and use of gun-powder and other dangerous substances.

14. To suppress gaming, gambling houses, and other disorderly houses, nuisances of every description, and all kinds of vice and immorality.

15. To prohibit the burial of the dead in the city, except at such places and in such manner as the board may determine, and to authorize the disinterment and the removal of any remains temporarily interred within the city limits, *provided*, the same shall be decently reinterred.

16. To prevent or restrain any riot or disorderly assemblages in any street, alley, or place in the city.

17. To remove from the immediate vicinity of the inhabited parts of the city all slaughter-houses, hog-pens, hay-stacks, brick-kilns, cattle-yards, and dairies.

18. To construct, repair, manage, and maintain ditches, reservoirs, aqueducts, and all works necessary in the distribution of water; may levy and collect water rates and taxes on real and personal property.

19. The Trustees shall fix by ordinance on the first Monday of September of each year the rate of taxation upon all real and personal property.

20. To condemn and prevent the occupancy of unsafe buildings, or structures.

21. To regulate and license the use of hackney carriages and public passenger vehicles and to fix the rates to be charged for the transportation of persons and personal baggage.

22. To provide a public pound and to make all necessary rules and regulations in the matter of animals running at large, and for the custody and disposition of the same.

23. To purchase or acquire by condemnation such property as may be needed for public use.

24. Except as otherwise provided in this charter to acquire, regulate and control the location and quality of all appliances necessary to the furnishing of water, heat, light, power, telephonic and telegraphic service to the city, and to acquire, regulate and control any and all appliances for the sprinkling and cleaning of streets within the city, and for flushing the sewers.

25. The Trustees shall fix and determine by ordinance in the month of February of each year, to take effect on the first day of July thereafter, the rates of compensation to be collected by the city of any person, company, or corporation in the city for tolls, wharfage, ferriage, or the use of water, heat, light, or power, supplied to the city, or to the inhabitants thereof, and to prescribe the quality of the service.

26. To impose license taxes and to provide for the collection thereof.

27. To prescribe and appropriate fines, forfeitures and penalties for the breach of any ordinance, but no penalty shall exceed the amount of five hundred dollars or sixty days' imprisonment, or both such fine and imprisonment.

28. To fix the fees and charges for all official services not otherwise provided for in this charter.

29. To allow not to exceed two hundred and fifty dollars in any year for the celebration of the anniversary of our national independence.

30. To appropriate such sums as may be paid into the treasury from fines collected on conviction of persons charged with cruelty to animals, and to authorize the payment of the same, or some part thereof, to any society that shall efficiently aid in such convictions.

31. To provide a seal for the city, and seals for the several departments, boards and officers thereof.

32. To fix the hours of labor or service required of all laborers in the service of the city, and to fix their compensation; *provided*, that eight hours shall be the maximum hours of labor in any calendar day, and that the minimum wages of laborers shall be two dollars a day.

33. To construct, or permit the construction of, tunnels, under such rules and regulations as the board may prescribe.

34. To construct, maintain, regulate, and repair bridges, wharves, docks, piers,

chutes, slips, ferries, and public places, and provide for their construction, maintenance, regulation and repair

35. To fix, regulate and collect tolls, wharfage and dockage.

36. To regulate the running, moving, and anchorage of steamboats, vessels, rafts, and other craft, other than those belonging to the Federal Government, within the waters of the city, and to prevent obstruction to the free navigation of such waters

37. To regulate street railroads, tracks and cars; to compel the owners of two or more such roads using the same street for any distance to use the same tracks and to equitably divide the cost of construction and expense of maintenance thereof between the owners; to fix, establish and reduce the fares and charges for transporting passengers and goods thereon; to regulate rates of speed, and to pass ordinances to protect the public from danger and inconvenience in the operation of such road

38. To allow any railroad to enter the city with its roads and run its cars to the water front at the most suitable point for public convenience. Every ordinance granting such right shall be upon the condition that said company shall pave and keep in repair the street within their tracks and two feet on each side thereof, in such a manner and with such material as may from time to time be prescribed by the Trustees, and that such company shall allow any other company to use in common with it the same track or tracks, each paying an equal portion for the construction and repair of the tracks and appurtenances used by such railway jointly.

39. The Trustees shall have no power to grant franchises or privileges for the construction and maintenance of bridges, wharves, docks or piers, or for the operation of ferries, or for the erection of poles or wires for transmitting electric power or for lighting purposes along or upon any public street or highway of the city, except upon all the conditions and in the manner prescribed by the general law of the State. The board shall at all times have the right to regulate the charges of any person, company, or corporation using, enjoying, or possessing such franchise or privilege; and must expressly provide that the franchise shall not be renewed or regrantd; and that the whole of the stationary fixtures and improvements upon the public streets and highways of the city shall, upon the expiration or abandonment of the franchise, become the property of the city. No franchise shall be granted for the construction and maintenance of any wharf, or for the operation of any ferry for a period exceeding twenty years.

40. When, on the expiration of any franchise, it shall be deemed inexpedient by the Board to use any of the property reverting to it by reason of such expiration in the operation of such franchise, then the Board shall have the power to lease such property to any person, company, or corporation after the notice, on the terms, and in the manner above provided, as to the granting of franchises, as far as the same may be applicable. But no ordinance authorizing such lease shall be passed prior to ninety days next preceding the expiration of such franchise, *provided*, that such lease shall not be for a longer term than ten years.

41. To provide for the sale at public auction, after advertising for five days, of personal property unfit or unnecessary for the use of the city.

42. The Board of Trustees may provide in the tax levy for the collection of a sum not greater than five hundred dollars, which sum shall be placed in a separate fund to be known as the "Emergency Street Repair Fund," and no greater amount shall be expended by the city in any one year for, or on the repair of, the unaccepted streets of the city, than is provided for in such fund.

43. To appropriate and authorize the use, either in whole or in part, of any real estate belonging to the city, for the purpose of erecting or maintaining a building or buildings thereon, to be used for the Public Library and Reading-Rooms, and may appropriate the whole or any portion of any public building belonging to the city for such use.

44. To regulate the entrances to and the exits from theaters, lecture-rooms, public halls and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, benches, or other obstacles in the aisles of such buildings

45. The Board of Trustees shall establish a general fund, and may also, before fixing the rate of the annual city tax, by ordinance establish such special and separate funds, representing the several funded obligations of the city, if any, and the several departments requiring municipal expenditure, as may be necessary; which special funds shall not be diverted to any other purpose than to that for which they have been specifically created, except of balances in excess, at the end of the fiscal year, and except also for the payment of the interest and principal of the water bonds; *provided*, that when any money shall have been transferred to the water fund it shall be paid back to the same fund from which it was transferred before any money is expended from the water fund for any purpose whatever.

46. The Board shall, during the first year after organization under this charter, and every three years thereafter, cause all ordinances then in force to be classified under proper heads, and shall provide for the publication of the same, together with this charter, in book form, and properly indexed

47. No member of the Board of Trustees or any other board, nor any officer elected or appointed, or employé of the city, shall be or become directly or indirectly interested in or with the performance of any contract, furnishing of any supplies, work or business, or in the sale of any article, the expense, price, or consideration of which is payable from the city treasury, or in the purchase or lease of any real estate or property belonging to or taken by the city, or which shall be sold for taxes or assessment, or by

virtue of legal process at the suit of the city. Any member of the Board of Trustees or of any other board, officer or employé of the city, violating the provisions of this section, or who shall be directly or indirectly interested in any franchise, right, or privilege granted by the city, while he is such member, officer, or employé, unless the same shall devolve upon him by law, shall forfeit his office and be forever disqualified from holding any position in the service of the city, and all contracts, or rights, or franchises granted in violation of this section shall be absolutely void.

48. The Board of Trustees shall appoint from its members a committee consisting of three to be denominated "Finance Committee," and shall fill all vacancies in the committee. The committee shall investigate the transactions and accounts of all officers having the collection, custody, or disbursement of public money or having the power to approve, allow, or audit demands on the treasury; shall have free access to any records, books, and papers in all public offices; shall have power to administer oaths and affirmations, and to examine witnesses, and compel their attendance before them by subpoena. The committee may at any time visit any of the public offices and make its examinations and investigations therein without hindrance.

The Finance Committee and the Mayor shall at least once a month count the money in the city treasury and report their findings to the Board of Trustees.

The committee must, at least once in every six months, examine the official bonds of all city officers, and investigate the efficiency and solvency of the sureties thereon, and report in writing the fact to the Mayor. Such reports shall specify each bond with the sureties, and the amounts for which each surety is bound, and state whether or not they are sufficient and solvent. Upon such report the Mayor shall take such action as shall be necessary to protect the city, and may require new bonds when necessary, and he may suspend any officer until a sufficient bond is filed and approved.

The Finance Committee shall have the power and it shall be its duty to examine the records and expent the books and accounts of all persons, companies, or corporations that are required to pay a portion of their gross receipts into the treasury; and shall likewise, as an aid to the fixing of rates for the furnishing water and light to the city and to the inhabitants thereof, have like power, and it shall be its duty to examine the records, and examine and expent the books of account of any and all persons, companies, or corporations so furnishing water and light.

In the exercise of its functions the concurrence of two members of the committee shall be deemed sufficient. The committee shall keep a record of its proceedings, with the names of the witnesses examined, and a substantial statement of the evidence taken. If, from the examination made by the committee, it shall appear that a misdemeanor in office, or a defalcation has been committed by any officer or employé of the city, the committee shall immediately report to the Mayor, who shall take such proceedings against such officer or employé as are authorized by law, and may suspend him pending such proceedings. Any police officer shall execute the process and orders of the committee.

49. All claims for damage against the city must be presented to the Board of Trustees and filed with the clerk within six months after the occurrence from which the damages are claimed to have arisen; otherwise, there shall be no recovery on any such claim.

50. To make by-laws and ordinances not repugnant to the Constitution of the United States, of this State, or the provisions of this charter.

51. To do and perform all other acts and things required by law or this charter not herein enumerated.

ARTICLE V.

FRANCHISES.

SEC. 29. No exclusive franchise or privilege shall be granted by the Trustees; and every grant of a franchise shall be subject to the right of the Board of Trustees at any time thereafter to repeal, change, or modify the said grant, and every ordinance making such grant shall contain a reservation of the right of the Board of Trustees to repeal, amend, or modify such ordinance.

SEC. 30. When an application is made for a franchise or privilege, by any person, company, or corporation, to the Board of City Trustees, said application must be accompanied by a sum sufficient to defray the preliminary expenses thereof.

Upon the receipt of such application the board shall consider the necessity of such franchise, or privilege; if it decides that such franchise or grant is a public necessity, or that it may be a public benefit, they shall, by resolution, advertise the fact that an application for such franchise or privilege has been made to the Board of Trustees, together with a statement that it is proposed to grant the same, must first be advertised in one newspaper of said city. Such advertisement must state that bids will be received for such franchise and that it will be awarded to the highest bidder, and such advertisement must be published in such daily newspaper once a day for ten successive days (Sundays and legal holidays not included), and thirty full days must elapse after the date of such advertisement before the board shall take any further action on the matter.

The advertisement must state the character of the franchise or privilege proposed to be granted, the term of its continuance that sealed bids or tenders will be received up to a certain hour on a day named therein, and the further statement that no bids will be received of a single sum or amount stated; but that all bids must be for the payment, in lawful money of the United States, of a stated per cent of the gross annual receipts

of the person, partnership, or corporation, or other authority to whom the franchise is awarded, arising from its use, operation or possession.

Every proposal submitted shall contain a check payable to the Mayor of the City, certified by a responsible bank, equal in amount to that named by the Board of Trustees in the advertisement calling for said bids.

The Board of Trustees must grant the franchise to the highest bidder; *provided*, that nothing in this section shall prevent the Board of Trustees from rejecting any or all bids whenever they may think that it would be for the best interests of the city to do so.

On the opening of said bids the board shall order all checks returned to the proper parties, except the check of the highest bidder, which shall be retained until the bond is filed with the clerk of the Board of Trustees with two good and sufficient sureties, to be approved by the Board of Trustees, in the penal amount as prescribed and set forth in the advertisement for bids, conditioned that such bidder shall well and truly observe, fulfill, and perform each and all of the terms, conditions, and obligations of such franchise, such bond must be filed with the clerk of the board within twenty days after the award of said franchise. Should said highest bidder fail to file the required bond in the stipulated time the board must order the check forfeited to the city; when the bond is furnished within the required time, the check shall be returned to the party furnishing the same.

SEC. 31. No franchise can be surrendered without the consent of the Board of Trustees; *provided*, that on the application of the Mayor or a majority of the Board of Trustees it shall be the duty of the Attorney General to sue for a forfeiture of any franchise granted when it is alleged by them in such suit non-compliance with the terms of such franchise or privilege.

Any member of the Board of Trustees who by his vote violates, or attempts to violate the provisions of this article, or any of them, shall be guilty of a misdemeanor and of malfeasance in office, and be deprived of his office by the decree of a court of competent jurisdiction, after a trial and conviction.

SEC. 32. No person, company, or corporation shall ever collect tolls or charges on any wharf, pier, or ship, extending out of the City of Vallejo, except they have first received from the city, in the manner set forth and prescribed in this article, a franchise or privilege granting them the right to collect tolls and charges on such wharf, pier, or slip.

SEC. 33. All franchises or privileges granted or awarded from which a per centum of the gross annual earnings of the person, company, or corporation is required to be paid to the city, shall contain a provision that said person, company, or corporation, shall keep a correct account of all earnings of such person, company, or corporation, arising from the use, operation or possession, of the same, in a set of books kept for that purpose, and said books shall be at all times open and subject to the inspection of any agent of the city appointed or empowered by said city to make an inspection of said books and accounts.

SEC. 34. All franchises or privileges now existing, or that may hereafter be awarded, shall be declared forfeited whenever it is shown that they have not been in use for a period of six months, except the person, company, or corporation to whom the same has been awarded shall obtain from the Board of Trustees an extension of the time; *provided*, that no more than one extension shall be in any case granted; and said extension shall not be for a longer period than six months.

SEC. 35. Any ordinance granting a franchise, or authorizing a lease under the provisions of subdivision forty of section twenty-eight of this charter, shall be in force from and after the expiration of thirty days from the date of its passage by the Trustees, unless within said thirty days a petition signed by a number of the electors of the city equal to fifteen per centum of the votes cast at the last preceding election shall have been filed with the Trustees, asking that said ordinance be submitted to the vote of the people. In such cases said ordinance shall be submitted at the next election to the vote of the electors of the city, and unless said ordinance shall at said election receive in its favor a majority of all the votes cast thereon, it shall have no force or effect for any purpose. If a majority of the votes be in favor of such ordinance, the Board of Election Commissioners shall, on the conclusion of the canvass of the vote thereon, proclaim such fact, and upon such proclamation said ordinance shall have full force and effect as of the date aforesaid. Said petition and submission shall be made in accordance with the provisions of section twenty-six of this charter.

ARTICLE VI.

POWERS AND DUTIES OF OFFICERS.

Mayor.

SEC. 35. The chief executive officer of the City of Vallejo shall be designated the Mayor. He shall be at least thirty years old, a citizen of the State, and a resident and qualified elector of the city for five years next preceding the day of his election. He shall see that all laws and ordinances within his jurisdiction are strictly enforced. He shall vigilantly observe the official conduct of all public officers, and take notice of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, administration, and disbursement of the public funds and property. The books, records, and official papers of all departments, boards, officers, and persons in the employ or service of the city, shall at all times be open to his inspection and examination. He shall take special care to see that the books and records of said departments, boards, officers, and persons are kept in legal and proper

form. Any defalcation, or willful neglect of duty, or official misconduct which he may discover, or which may be reported to him, shall be laid by him before the Board of Trustees, in order that the public interests may be protected, and the person in default be proceeded against according to law. He shall, from time to time, give the Board of Trustees information, in writing, relative to the state of the city, and shall recommend such measures as he may deem beneficial. He shall have the books and records of all public departments pertaining to the finances of the city experty by a competent person at least once in every year. Any person refusing to submit to or permit such examination, or purposely delaying or impeding the same, may be suspended from office by the Mayor, and removed for malfeasance in office. He shall have a general supervision over all the departments and public institutions of the city, and see that they are honestly, economically, and lawfully conducted.

SEC. 36. He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults.

SEC. 37. The Mayor, with the consent of the Board of Trustees, shall appoint all officers and fill all vacancies not otherwise provided for in this charter, and such appointees shall serve for the unexpired term; and they shall possess the qualifications prescribed by this charter for eligibility in their respective offices.

SEC. 38. He shall see that all contracts and agreements with the city are faithfully kept and fully performed, and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city against all persons and corporations failing to fulfill their agreements and contracts, either in whole or in part. He shall have the general supervision of all city officers elected or appointed. He shall have power to suspend any city officer, except a member of the Board of Trustees, for a dereliction, neglect, or non-performance of duty, and shall immediately, in writing, report the same to the Board of Trustees; after a hearing, if the Board of Trustees approve the suspensions, they shall declare the office vacant, or continue the suspension for such time as they may deem proper, and such vacancy shall be filled by the Mayor, subject to the approval of the Board of Trustees. It shall be the duty of every officer and person in the employ of the city, when it comes to his knowledge that any contract or agreement with the city, or with any officer or department thereof, or relating to the business of any office, has been, or is about to be violated by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter, and a willful failure to do so shall be cause for removal of such officer or employé, as in the case of malfeasance in office.

SEC. 39. The Mayor may, in writing, call special meetings of the Board of Trustees; the call shall state the object of the meeting, and no business other than that stated therein shall be transacted.

Treasurer and Tax Collector.

SEC. 40. The Treasurer shall have been a citizen of the State and a resident and qualified elector of the city for at least five years next before his election; it shall be his duty to receive and keep all moneys that shall come to the city, by taxation or otherwise, and to pay the same out, on demands legally audited, in the manner provided for in this charter, and without such auditing he shall disburse no public money whatever, except the principal and interest on the public debt, when payable; he shall keep an accurate account of all his receipts and expenditures, under such rules and regulations as may be prescribed by ordinance; he shall make a monthly statement to the Board of Trustees of all his receipts and expenditures of the preceding month, and shall do all things required of him by this charter, or ordinance of said city.

As soon as suitable vaults and safes are provided, the Treasurer shall keep therein all moneys belonging to the city, and all public documents; he shall not thereafter, under any circumstances, deposit with or loan to any person, corporation, or bank, any of the money of the city, or allow the same, except in payment of demands against the city, to pass out of his custody.

SEC. 41. The Tax Collector and License Collector, as provided in this charter, is also the City Treasurer. It shall be his duty to receive and collect all city taxes, general and special; he shall also collect all city licenses, harbor dues, and cemetery receipts, and such other branches of the city revenue, not otherwise herein provided for, as the board may direct; he shall keep proper books, showing all moneys collected by him as Tax Collector, and also a book which shall contain a record of every deed given by, or on behalf of, the city for real estate sold for delinquent taxes or assessment, which book shall be properly indexed and shall be at all suitable times subject to public inspection; and do and perform such other duties as may be required of him by this charter or ordinance of the city. He shall pay all moneys collected by him as Tax Collector into the city treasury daily. The time and manner of collecting all city licenses shall be provided for by the Board of City Trustees.

City Attorney.

SEC. 42. There shall be an attorney and counselor of the City of Vallejo, who shall be styled City Attorney, who shall hold office for two years and until his successor is elected and qualified. He shall have been an elector of the city at least two years preceding his election and duly admitted to practice by the Supreme Court of the State of California; and shall have actually been engaged in the practice of his profession for a period of at least five years next before his election.

SEC. 43. It shall be his duty to prosecute, in behalf of the people, all criminal cases

arising from violations of the provisions of this charter and city ordinances, and to attend to all suits, matters, and things in which the city may be legally interested; *provided*, the City Trustees shall have control of all litigation of the city and may employ other attorneys to take charge of any litigation or to assist the City Attorney therein. He shall be in attendance at every regular meeting of the Board of City Trustees, and shall give his advice or opinion in writing whenever required by the City Trustees, Board of Education, or other city officers. He shall be the legal adviser of all city officers; he shall approve the form of all bonds given to and all contracts made with the city; he shall, when required by the Board of Trustees or any member thereof, draft any and all proposed ordinances for the city and amendments thereto; and shall do and perform all such things touching his office as the City Trustees may require of him, and shall at the expiration of his term surrender all books, papers, and documents pertaining to the city's business, over to his successor.

City Engineer.

SEC. 44. The City Engineer shall be appointed by the Mayor and his appointment confirmed by the Trustees, he shall have been a citizen of the State and a resident and qualified elector of the city at least two years next before his appointment, and shall hold office for two years and until his successor is appointed and qualified.

SEC. 45. He shall in addition to other duties imposed upon him by this charter or by ordinance of the City Trustees, make all surveys, inspections, and estimates required by the Commissioners of Public Works; he shall, when requested to do so by the Commissioners of Public Works, examine all public work done under contract, and report thereon in writing to the Board; he shall, on application of any person owning or interested in real property in said city for a survey or plat of such property, make and deliver the same upon the payment of his fees therefor. All maps, plats, profiles, field notes, estimates, and other memoranda or surveys, and other professional work made or done by him or under his direction or control during his term of office for the city, shall be the property of the city, and shall be turned over to the Commissioners of Public Works.

City Clerk.

SEC. 46. The City Clerk shall have been a citizen of the State and a resident and qualified elector of the city for at least two years next before his election, and shall hold office for two years and until his successor is elected and qualified.

SEC. 47. The City Clerk shall have the custody and shall be responsible for the corporate seal and all books, papers, records and archives belonging to the city not in actual use by other officers or otherwise by special provision committed to their custody. He shall be present at each meeting of the Board of Trustees during its session, and keep a journal of all proceedings. He shall keep separate books, in which respectively he shall record all ordinances and contracts and official bonds, he shall keep all his books properly indexed and open to public inspection when not in actual use; he shall make out, sign, and deliver to the City License Collector all licenses other than building permits. He shall file all claims and demands against the city (*provided*, each claim shall be verified), except bonds, coupons for interest, claims payable from the School Fund or from funds not controlled by the City Trustees; each claim so filed shall specify in detail the goods purchased, the services rendered, or other basis of claim, and by what authority the goods were furnished, or the services performed, giving date and amount of claim. After allowance by the City Trustees and after the adjournment of each meeting the City Clerk shall immediately prepare and certify duplicate lists of all claims allowed and orders made for the payment of money, giving the name of the claimant or payees named in the claim or order, the amount and date of each claim or order, and the date of the allowance thereof, which said list shall be countersigned by the Mayor, and thereafter said Clerk shall deliver to and leave with the Auditor one of said lists, and shall deliver to and leave with the Treasurer the other list.

SEC. 48. He shall preserve and file all accounts acted upon by the Board of City Trustees. He shall authenticate with his signature and seal of the board all proceedings whenever such proceedings be ordered published. He shall authenticate with his signature and seal all ordinances or laws passed by the board. He shall record the vote of each member on any question upon which there is a division, or at the request of any member present, and perform such other duties as are or shall be imposed by this charter, or by ordinance. He shall make no charge for taking affidavits or administering oaths in matters relating to the business of the city.

City Auditor and Assessor.

SEC. 49. There shall be a City Auditor, who shall be ex officio City Assessor, and who shall be elected by the qualified voters of the entire city, at each general municipal election. He shall have been a resident of the State and a resident and qualified elector of the city for at least five years next before his election; as Assessor he shall perform all the duties prescribed by this charter or by law for assessing property in the city for purposes of taxation; as Auditor he shall number and keep a record of all demands approved by him, showing the date of approval, amount, and name of original holder, the number, on what account and out of what fund payable. It shall be his duty to be continually acquainted with the exact condition of the treasury. He shall, on application of any person indebted to the city, holding money payable into the treasury, or desiring to pay money therein, certify to the City Treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the written order of

the City Treasurer directing him to issue a receipt for money paid into the city treasury, charge the City Treasurer with the amount received by him, and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public moneys at any time in the city treasury, not by law or ordinance specifically apportioned and appropriated, and forthwith notify the City Treasurer of such apportionment or appropriation. He shall countersign and deliver to the proper officer all licenses and receipts for water rates. He shall, on the first Monday of each month, or oftener, if required, report in writing to the Mayor, and likewise to the Board of Trustees, the condition of each fund in the treasury. He shall keep a complete set of books for the city, in which shall be set forth, in a plain and business-like manner, every money transaction of the city, so that he can at any time tell the exact condition of the city's finances. He shall make an annual report showing the sources from which the city's revenues were derived, and how expended. He shall draw and sign all warrants upon the treasury, except as otherwise in this charter provided.

Sec. 50. Every demand must, before it can be paid, be verified by the oath of the claimant, or some one in his behalf, and be presented to the Auditor to be approved, who shall satisfy himself whether the money is legally due and remains unpaid, and whether the payment thereof from the treasury of the city is authorized by law, and if so, out of what fund, and that there is sufficient money in such fund with which to pay the same; after such examination he shall approve or reject the claim, in whole or in part, and endorse on such demand his approval or rejection over his signature, together with the date thereof; if it is approved, the fund out of which it is to be paid is to be designated. If it is rejected, or any part of it, unless the party presenting it is willing to take in full of the entire demand the sum offered, the Auditor shall return it to the board or other body which originally authorized it, together with his reasons for rejecting it; then, if it is allowed by a majority vote of all the members of the board or other body authorizing it, and approved by the Mayor, it shall be audited in the same manner as if it had not been rejected; *provided*, the same board or other body had the authority to make the expenditure out of which the claim arose. No demand upon the treasury shall be considered, presented for action, or acted upon, allowed, or approved, unless it specifies on its face each several item composing it, and the amount and date thereof. Every demand shall be numbered and acted upon by the Auditor in the order of its presentation to him; and when allowed, either in whole or in part, the warrant therefor shall be numbered and entitled to payment out of the fund on which it is drawn, in the same order as allowed. No demand upon the treasury shall be allowed by the Auditor in favor of any officer or other person, or any of his assigns, who is in any manner indebted to the city, without first deducting therefrom the amount of such indebtedness, nor in favor of any officer or other person, or his assigns, having the collection, care, custody, or control of public funds, unless the accounts of such officer or other person have been presented, passed, approved and allowed as it is, or may be, required by law; nor in favor of any officer or other person, or his assigns, who has neglected to make any oath required by law or ordinance or other regulation of the Board of Trustees; nor in favor of any officer or his assigns who has failed, to the knowledge of the Auditor, to do any duty imposed upon him by law, or ordinance or other regulation of the Board of Trustees.

The Auditor shall have authority to take affidavits and administer oaths necessary in the transaction of all city business without charge, and shall perform such other duties as are imposed upon him by law or this charter.

Sec. 51. He shall keep publicly posted in his office a list of all persons receiving salaries or wages from the city, and the amount of monthly salary or wages received by each, opposite his name, which list shall be revised and corrected by him monthly, and be at all times open to the public inspection.

Sec. 52. It shall be the duty of the Assessor to prepare, on or before the first Monday in May of each year, or at such other time as may be directed by ordinance, and to present to the Board of Trustees, with his certificate of its correctness, a list of all the real and personal property within the city, taxable for State and county purposes, with a true valuation thereof, which said assessment list shall conform, as nearly as practicable, when not inconsistent with the provisions of this charter, to the assessment list required by law to be made by the County Assessor for State and county purposes; to be present at the sessions of all Boards of Equalization mentioned in this charter, to furnish to said boards such information as may be required, and to perform such other acts or services in reference to the assessment of property in the city, or otherwise appertaining to his office, as the board shall require or direct. During the session of the Board of Equalization, the Assessor shall enter upon the assessment list all the changes and corrections made by the board, and may assess and add to said list any property in the city not previously assessed.

He shall make, or procure to be made, all necessary abstracts to be used in making up the assessment of property within the city, and after the taxes have been duly levied by the Board of Trustees, he shall make the proper calculations, and extend upon the assessment book the amount of taxes due from each person, firm, or corporation, and deliver said book to said board so completed, on or before the second Monday in May of each year, or such other time as may be directed by ordinance; and at the expiration of his term of office he shall deliver to his successor in office all maps, plats, descriptions of property, and all other things appertaining to his said office.

In the assessment and listing of property, and in the collection of tax upon personal property not secured by lien upon real estate, he shall have, and may exercise, the same powers as are conferred by law upon the County Assessors.

ARTICLE VII.

BONDS AND SALARIES.

Bonds.

SEC. 53. Officers of the city, before entering upon the discharge of their official duties, and within twenty days after notice of their election or appointment, shall execute to said city such official bonds as may be required by ordinance or this charter; when the amount of any bond is not fixed by ordinance, or this charter, and when power to fix the same is not herein conferred, it shall be fixed by ordinance; all bonds shall be approved by the Mayor and filed with the City Clerk, and shall be recorded by the City Clerk in a book entitled "Official Bonds," and kept for that purpose, except the bond of the Clerk, which shall be filed with the Mayor, after being so recorded. The approval of every official bond must be endorsed thereon and signed by the officer approving the same after the examination of the securities as hereinafter provided.

SEC. 54. The following officers shall respectively execute to the City of Vallejo official bonds, with sureties in the following sums, viz.:

Mayor	\$5,000 00
Treasurer and Tax Collector	25,000 00
City Clerk	5,000 00
City Attorney	5,000 00
Auditor and Assessor	5,000 00
Superintendent of Water System and Streets	5,000 00

SEC. 55. City officers shall not be accepted as sureties for each other on official bonds. Every bond shall be made payable to the City of Vallejo and contain a condition that the principal will faithfully perform all official duties that are or that may thereafter be imposed upon or required of him, and that at the expiration of his term of office he will surrender to his successor all property, books, papers, and documents that may come into his possession as such officer. Said bond must be executed by two or more sureties, but when the amount of the bond is more than five thousand dollars the sureties may become severally liable for portions of not less than twenty-five hundred dollars; when there are more than two sureties, said sureties may justify in an amount which, in the aggregate, shall equal double the amount of said bond. The Mayor and Board of Trustees may require the Treasurer to give a surety company bond, in which case the expense of such bond shall be borne by the city.

SEC. 56. Every surety upon an official bond must justify in the manner prescribed by the Political Code of this State for official bonds.

SEC. 57. When an official bond is required of an officer, the Mayor and Board of Trustees may require an additional bond if, in their opinion, the original bond, or any surety thereof, becomes insufficient. If such additional bond be not given forthwith the Mayor and Board of Trustees must declare the office vacant, and thereupon it shall become vacant.

Salaries.

SEC. 58. The officers herein named shall receive the following annual salaries:

Mayor	\$600 00
Treasurer and Tax Collector	750 00
City Clerk	1,200 00
City Attorney	600 00
Auditor and Assessor	750 00
Health Officer	300 00
Superintendent of Water System and Streets	1,200 00
Chief of Police	1,000 00
Policemen (each)	840 00
Chief of Fire Department	200 00
Deputy Superintendent of the Water Department	600 00
City Engineer, to receive fees, to be fixed by the Trustees.	

Salaries of all officers shall be paid monthly. After having served two years the Chief of Police (as long as he continues such) shall receive an increase in salary over the above amount, of two hundred dollars per annum; and the patrolmen after serving a similar number of years shall receive an increase of sixty dollars per annum.

The salaries set forth in this charter shall be in full for all services rendered. It shall be unlawful for the Board of Trustees, or any other board, to raise the salary of any officer, after his election, or the date of his appointment.

The words "election or appointment," as used in this section, shall mean, from the time that the Clerk made out his certificate of election or appointment; and the words "salary," as used in this section, includes all allowances of whatever nature.

ARTICLE VIII.

JUDICIARY.

SEC. 59. The Justices of the Peace of Vallejo Township, residing within the corporate limits of the City of Vallejo, are hereby authorized and required to take cognizance of all cases arising under the ordinances of said city, for violation thereof. All fines imposed by them and collected for violation of city ordinances shall be paid into the city treasury for the use and benefit of the city. They shall receive such compensation

therefor as may be allowed by the City Trustees, not to exceed the amount allowed them by law in criminal cases arising under the Penal Code, which compensation shall be paid out of the city treasury.

ARTICLE IX.

ELECTIONS.

SEC. 60. Elections to be held in the city shall be of two kinds: general and special.

SEC. 61. General municipal elections shall be held biennially on the first Monday in March; the first general election under this charter shall be held on the first Monday in March, nineteen hundred, and all officers elected at said election shall take office on the first Monday in April of said year.

SEC. 62. The provisions of all general laws governing elections for State and county officers, not inconsistent with the provisions of this charter, then existing or afterwards enacted by the State Legislature, are hereby adopted as the law governing city elections, and the City Trustees and City Clerk respectively shall exercise the powers and perform the duties conferred or imposed on County Boards of Supervisors and County Clerks concerning elections. The Mayor, Trustees, and City Clerk shall constitute the Board of Election Commissioners for the city.

SEC. 63. The Mayor and Board of City Trustees shall prepare and submit to the qualified electors of the city for adoption, at the first general or special election held under this charter, a proposition by ordinance governing and regulating primary elections: and until such ordinance is adopted by a majority of the qualified voters voting at such election, all candidates for offices to be filled at a city election can be nominated for such office in the manner provided for by the general law of the State.

SEC. 64. It shall be the duty of the City Clerk, whenever the great register of the county is about to be printed, to notify the Board of Supervisors of Solano County to provide for the printing of a sufficient number of registers (in addition to the number otherwise provided by law to be printed) for the general and special elections to be held or likely to be held in the City of Vallejo, and it shall be the duty of the County Clerk of said county to furnish such registers in sufficient numbers when so required by the city.

SEC. 65. At the first municipal election held under the provisions of this charter the following officers shall be elected, and biennially thereafter: A Mayor; City Clerk, who shall also be clerk of the Water Department, and secretary to the Commissioners of Public Works; Auditor, who shall be ex officio Assessor; Treasurer, who shall be ex officio Tax Collector, and License Tax Collector; two Commissioners of Public Works; also five City Trustees, five School Directors, and five Library Trustees, who shall hold office for four years; *provided*, that the members of the above boards, at the first meeting of their respective boards, held under the provisions of this charter, shall draw lots for a long and short term; three members of each board shall retire at the end of two years, their successors shall be elected to hold office for four years; and two shall retire at the end of four years, and their successors shall be elected every four years thereafter. All officers herein named shall be elected at large; *provided*, that the members of the Board of City Trustees shall be nominated from wards, two from the First Ward, two from the Second Ward, and one from the Third Ward; and the official ballots shall be prepared so that they shall show the ward that each candidate is nominated for. All candidates for City Trustees shall be voted for by the electors of the entire city without respect to wards, and the nominees from each ward having the highest number of votes shall be declared the Trustees from that ward.

The Board of City Trustees and the Board of Education shall be the judges of the election and qualification of their own members.

SEC. 66. The Board of Trustees shall by ordinance declare and provide for the holding of all municipal elections; such ordinance shall specify the object, time, place or places, and the names of the inspectors, judges of election, and clerks for each precinct, all of whom shall be residents of the precincts within which they are appointed to serve, for at least one year prior to said election, to conduct the holding of and to make returns of such election. Said ordinance shall be published in a daily newspaper published in said city, for at least ten days prior to the time designated for holding the election.

The boundaries for the precincts shall remain as fixed for the election of State and county officers at the last general election preceding the city election, unless changed by ordinance. Each inspector, judge, and clerk of election shall receive such compensation for his services as the Board of City Trustees may direct, not to exceed four dollars.

SEC. 67. The City Trustees shall act in conjunction with the Board of School Directors, and arrange for and make provisions for one set of election officers to conduct both city and school elections at the same time and place. The School Directors shall provide a special polling place for those school electors outside the city limits.

SEC. 68. The election returns from each precinct shall be filed with the City Clerk, who shall immediately place them in the vaults in the City Clerk's office, and no person shall be permitted to handle, inspect, examine, or in any manner interfere with the same until canvassed by the City Trustees. They shall be sealed up and kept by the City Clerk, after having been canvassed, for six months, and no person shall have access to them except on order of a legally constituted court.

SEC. 69. Only such persons residing in the City of Vallejo whose names shall legally

appear on the printed great register, or supplement thereto, of Solano County at the time of holding any municipal election, shall be entitled to vote at such elections, and to this end and extent said great register is hereby adopted by the city.

SEC. 70. On the second day after a city election, the City Trustees shall canvass the returns and declare the result. After the result of an election is declared, or when an appointment is made, the City Clerk, under his hand and official seal, shall issue a certificate therefor and serve the same by depositing it, with postage prepaid, in the United States mail, addressed to the person elected or appointed; and within ten days thereafter (if the office be accepted) such person shall file the certificate, with the oath of office attached, in the office of the City Clerk.

When an official bond is required it shall be approved and filed within twenty days after the certificate of election is issued.

All certificates of election must be authenticated by the hand and seal of the City Clerk; no other authentication shall be necessary.

SEC. 71. Whenever a vacancy occurs by failure of the people to elect, the Mayor shall appoint a suitable person to fill said vacancy, and if the Board of Trustees shall, by a vote of a majority of its members, confirm the appointment, the person so appointed shall fill the office until the next municipal election, if not sooner removed for cause.

When a vacancy occurs by virtue of the death, resignation, removal from office, or inability to serve, the Mayor shall appoint a suitable person to fill the vacancy; *provided*, all such appointees shall possess all the qualifications required by this charter for filling said office; and if said appointment is confirmed by a majority vote of the Board of Trustees, he shall hold the said office until the next municipal election, unless sooner removed for cause.

Should a vacancy occur in the office of Mayor, from any cause, the Board of Trustees shall order an election to be held within sixty days after the vacancy shall have occurred to fill said vacancy, except that such vacancy occurs within six months of the next municipal election, in which case the office shall be filled by the President of the Board of Trustees for the unexpired term.

ARTICLE X.

DEPARTMENT OF PUBLIC WORKS.

Commissioners.

SEC. 72. There shall be a Department of Public Works under the management of three commissioners, who shall constitute the Board of Public Works.

The commissioners shall consist of the Mayor and two additional members; candidates for the position must possess all the qualifications required of candidates for City Trustee, and one of them shall be a practical builder, civil engineer, or architect; they shall be elected by the qualified voters at large, and serve without salary. Their term of office shall be four years; *provided*, that at the first election after the adoption of this charter the two candidates receiving the greatest number of votes shall be declared elected, and they shall determine by lot who is to retire at the expiration of two years.

SEC. 73. Immediately after their election and qualification they shall organize as a board. The Mayor shall be president of the board; the City Clerk shall be secretary to the board. They shall establish rules and regulations governing its proceedings, and for the regulation and conduct of its officers, secretary, and employees, and may require bonds from any of its subordinates for the faithful performance of their duties. Such bonds must be approved by at least two of the commissioners, and be filed with the auditor; their regular meetings shall be held at such time and place as they shall fix, by resolution, to be entered on its record. Two members shall constitute a quorum, and the affirmative votes of two members shall be necessary to pass an order or resolution.

Secretary.

SEC. 74. The clerk of the board shall keep a record of its transactions, specifying therein the names of the commissioners present at the meetings, and giving the ayes and noes upon all votes. Every order or resolution shall be recorded at length, and the record shall be approved by the board. The secretary shall cause the publication of all notices herein authorized to be published, and shall perform such other duties as the board may from time to time prescribe.

ARTICLE XI.

POWERS AND DUTIES OF COMMISSIONERS OF PUBLIC WORKS.

SEC. 75. It shall, immediately on completing its organization, take possession of, and thereafter keep in its custody, all maps, surveys, field notes, plans, specifications, contracts; all documents, books and papers; all machinery, tools, and appliances, and all property belonging to the city, in possession of or under control of the City Surveyor or Street Superintendent.

SEC. 76. The board may appoint such employees as are herein provided for, or as may be authorized by the Board of City Trustees. The salaries of all officers and employees of the board, except so far as the same are designated by this charter, shall be fixed from time to time by the Board of City Trustees, in its discretion, on recommendation of the commissioners.

SEC. 77. The commissioners shall have charge and superintendence of all public work of every kind, where not otherwise provided for in this charter, to be done for the city

or for the Board of Education, or any other department, and also for the furnishing of all material and supplies for such work. It shall be the duty of the commissioners to vigilantly inspect all parts of the city, and to recommend from time to time, to the Board of City Trustees, such work as they may deem necessary and proper.

SEC. 78. The commissioners shall have special charge, superintendence, and control, subject to such ordinances as the Board of City Trustees may from time to time adopt, of the harbor and water front, of the water system, and of all streets, highways, sidewalks, roads, bridges, wharves, parks, and public places belonging to the city, or dedicated to public use, and of the improvements and repair thereof; of all sewers, cesspools, and the work pertaining thereto, or to the drainage of the city; of the cleaning of streets; and of all repairs upon all accepted streets; of the construction and repair of all public buildings, and the making of all improvements for the city or under its authority; and if at any time the city should own its own system for lighting the streets and public places thereof, the commissioners shall have the management of all its plant and whatever may belong to the system. It shall have exclusive authority to prescribe rules and grant permits in conformity with the ordinances of the city for the moving of buildings through the streets thereof; the keeping of sidewalks clear of obstructions, the erection of lamp posts, electric lights, telegraph and telephone poles on the streets and alleys of the city; the putting up of signs and awnings; the location of steam boilers; the determining of the location of all gas, water, and sewer pipes laid in the streets or alleys, and to prescribe such rules as shall prevent damage to the streets by reason of the laying of said pipes and sewers. The commissioners shall have full power to regulate and control, subject to the ordinances of the city, the anchorage of vessels in the harbor of Vallejo; the manner of using the streets, sidewalks, wharves, harbors, parks, and public places, and to prevent and remove obstructions therefrom, and cause the prompt repair of streets, sidewalks, and public places when the same may be taken up or altered.

The commissioners are authorized to collect, by suit or otherwise, in the name of the city, the expense of such repairs from person or persons by whom said sidewalk or street was injured or torn up.

The commissioners shall regulate, subject to the requirements of the Board of Health, and the ordinances of the city, the construction of sinks, gutters, wells, cesspools, and privy vaults, and compel the cleaning or emptying of the same, and regulate the time and manner in which the same shall be done.

SEC. 79. All applications for establishing or changing the grade of any street or streets, the improvement of public grounds or buildings, the laying out, establishing, opening, closing, straightening, widening, or improvement of any street, road, or highway, or the laying out and opening of any new street through public or private property, and for all public improvements which involve the necessity of taking private property for public use, or when any part of the cost or expense thereof is to be assessed upon any private property, shall be made to said board, and such work or improvement shall not be ordered or authorized until after said commissioners shall have reported to the Board of City Trustees upon said application.

Contracts.

SEC. 80. All public work authorized by the City Trustees to be done under the supervision of this board, and all work for which the Board of Education shall make requisition upon the Commissioners of Public Works, and all contracts for materials and supplies in an amount exceeding two hundred dollars required by the Board of City Trustees, or any of the departments of the city, but not otherwise provided for in this charter, shall be done under written contract, except in cases of urgent necessity, as hereinafter provided. Before awarding any contract authorized by the preceding section, the commissioners shall cause notice inviting sealed proposals therefor, to be posted conspicuously in its office and published for not less than five days in one newspaper; *provided*, that when the estimated cost exceeds two thousand dollars, notice shall be posted and published for not less than ten days; except that when the estimated cost of any improvement or repair work does not exceed two hundred dollars, and shall be deemed an urgent necessity by the Board of Commissions, such repair or improvement may be made by the commissioners under written contract or otherwise, without advertising for sealed proposals; but no piece of repair work or improvement shall under any circumstances be subdivided for the purpose of bringing the estimated cost within the limit herein provided.

SEC. 81. Said advertisement and notice shall invite sealed proposals, to be delivered to the commissioners in open session, at a certain day and hour, for furnishing the supplies and materials, and if for work to be done, the materials for the proposed work, or for doing the said work, or for both, as may be deemed best by the commissioners, and shall contain a general description of the work to be done, the materials or supplies to be furnished, the time within which the work is to be commenced and when to be completed, and the amount of bonds to be given for the faithful performance of the contract, and shall refer to plans and specifications on file in the office of the commissioners for full detail and description of said work and material.

SEC. 82. All proposals shall be made upon printed forms, to be prepared by the commissioners and furnished gratuitously upon application, with a form of affidavit hereinafter provided for, printed thereon; each bid shall have thereon the affidavit of the bidder that his is genuine, and not sham or collusive, or made in the interest or in behalf of any person not therein named, and that the bidder has not directly or indirectly

induced or solicited any other bidder to put in a sham bid, or any other person, or corporation, or firm, to refrain from bidding, and that the bidder has not, in any manner, sought by collusion to secure to himself an advantage over other bidders.

Any bid made without such affidavit, or in violation thereof, shall be absolutely void, and also any contract let thereunder.

If at any time discovery shall be made that a contract has been let to a bidder who has violated or evaded this oath, the contract shall be canceled and no recovery shall be had thereon, and the commissioners shall at once proceed as before to award a new contract.

All proposals offered shall be accompanied by a check, certified by a responsible bank, payable to the order of the City Clerk, for an amount not less than ten per cent of the aggregate of the proposal, and no proposal shall be considered unless accompanied by such check.

If, on the opening of said bids, more than one bid appear in which the same person, corporation, or firm is interested, all such bids shall be rejected.

Sec. 83. On the day at the hour specified in said notice inviting sealed proposals the commissioners shall assemble and remain in session at least one hour thereafter, and all bids shall be delivered to the commissioners by the bidder or his agent while it is so in session, and within the hour named in the advertisement. No bid not so delivered to the commissioners shall be considered. Each bid, as it shall be received, shall be numbered and marked "filed" by the president, and authenticated by his signature. At the expiration of the hour stated in the advertisement, within which the bids will be received, the commissioners shall, in open session, open, examine, and publicly declare the same, and an abstract of each bid shall be recorded in the minutes of the commissioners by the secretary.

Before the commissioners adjourn they shall compare the bids with the record made by the secretary, and shall thereupon, at said time, or at such other time, not exceeding twenty days thereafter, as the commissioners may adjourn to, award the contract to the lowest responsible bidder, except as otherwise herein provided.

Notice of such award shall forthwith be posted for five days by the secretary of the commissioners in some conspicuous place in the office of the commissioners.

The commissioners may reject any and all bids, and must reject the bid of any party who has been delinquent or unfaithful in any former contract with the city, and any bids other than the lowest responsible bid; and on accepting said lowest bid shall thereupon return to the proper parties the checks corresponding to the bids so rejected. If all the bids are rejected the commissioners shall return all checks to the proper parties, and again invite sealed proposals, as in the first instance. The check accompanying the accepted bid shall be held by the secretary of the commissioners until the contract for doing said work, as hereinafter provided, has been entered into, whereupon said certified check shall be returned to said lowest bidder.

If said bidder refuses or fails to enter into the contract to do said work, as hereinafter provided, then the certified check accompanying his bid, and the amount therein mentioned, shall be forfeited to the city, and shall be collected and paid into the general fund. Neither the Commissioners of Public Works, nor the Board of Trustees, nor the Board of Education shall have power to relieve from or remit such forfeiture.

Sec. 84. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and no recovery shall be had thereon, and the commissioners shall advertise for proposals for a new contract.

Sec. 85. All contracts shall be drawn under the supervision of the City Attorney, and shall contain detailed specifications of the work to be done, the manner in which it shall be executed, and the quality of the supplies and material to be used. No change or modification in the plans or specifications shall be made after the proposals for doing the work have been called for.

Every contract entered into by the commissioners shall be signed by at least two of their members, and by the other contracting party, and attested by the City Clerk.

All contracts shall be signed in triplicate, and one of which with the specifications and drawings, if any, of the work to be done and the materials to be furnished, shall be filed with the Board of Education, when the work is done upon requisition of that board, and in other cases with the City Clerk; and one thereof, with said specifications and drawings, shall be kept in the office of the commissioners, and the other, with specifications and drawings, shall be delivered to the contractor.

At the same time with the execution of said contract said contractor shall execute to the city and deliver to the secretary of the commissioners, a joint and several bond in the sum named in the notice for proposals, with two or more sufficient sureties to be approved by the commissioners, or shall deposit with the secretary a certified check upon some solvent bank for said amount, for the faithful performance of said contract.

No surety on any bond shall be taken unless he be a resident and householder, or freeholder within the State, and worth the sum specified in the bond over and above all just debts and liabilities exclusive of property exempt from execution; and each surety shall justify and make and sign an affidavit to that effect, of which affidavit a form shall be printed on the bond. But when the amount specified in the bond exceeds three thousand dollars, and there are more than two sureties thereon, they may state in their affidavits that they are severally worth amounts less than that expressed in the bond, if the whole amount be equal to two sufficient sureties.

The contract for work shall specify the time within which the work shall be commenced and when to be completed, as was specified in the notice inviting proposals therefor. Upon the recommendation of the commissioners the Board of City Trustees may extend said time, but in no event shall the time for the performance of said contract be extended by the Board of Trustees more than sixty days beyond the time originally fixed for its completion.

In case of failure on the part of the contractor to complete his contract, within the time fixed in the contract, or within such extension of said time, as is herein provided, his contract shall be void, and the Board of City Trustees shall not pay or allow him any compensation for any work done by him under said contract. But the Commissioners of Public Works shall proceed to complete the work as provided in said contract, at the expense of said contractor and his sureties; *provided*, that the Board of Trustees shall order to be paid to the contractor or his sureties whatever balance may remain after the commissioners shall have completed the work as provided for in this section.

SEC 86. The work in this article provided for must be done under the direction and to the satisfaction of the commissioners, and all materials and supplies furnished must be in accordance with the specifications, and to the satisfaction of said Board of Commissioners, and all contracts provided for in this article must contain a provision to that effect. When said contract shall have been completed to the satisfaction and acceptance of said Commissioners, they shall so declare by resolution, and thereupon said Commissioners shall deliver to the contractor a certificate to that effect.

SEC 87. The commissioners of said board shall not, nor shall either of them, or any person employed in said department, be interested, directly or indirectly, in any contract for labor, works, supplies, or material, entered into by said board; nor shall either of such commissioners, officers, or employés be allowed to receive any gratuity or advantage from any contractor, laboree, or person furnishing labor or material for the same.

SEC 88. Whenever the Commissioners of Public Works shall have perfected all preliminary work for the awarding of a contract for the furnishing of supplies, or the doing of any work, or the making of any improvement, said commissioners shall instruct their secretary to prepare a statement showing the nature and quantity of the supplies required, the work to be done, or the improvements to be made; such report must be accompanied by the proposed contract and a copy of all bids received, for the furnishing of the required supplies, doing the work, or making the improvements contemplated, to the Board of Trustees; said board shall then, or at its next meeting, consider the matter, and may order the Commissioners of Public Works to accept the bid of the lowest responsible bidder and award to him or them the contract, or it may order said board to reject any and all bids, and to call for new proposals.

SEC 89. Provided that nothing in this article shall be construed as clothing the Commissioners of Public Works with the power to award contracts, except by order of the Trustees, and said order must be by resolution or ordinance.

Superintendent of Waterworks and Streets—Deputy Water Superintendent.

SEC 90. The Commissioners of Public Works shall recommend to the Board of City Trustees, a suitable person to be Superintendent of the Water Department, who shall be ex officio Superintendent of Streets; said commissioners shall also recommend a suitable person to be Deputy Superintendent of the Water Department, both of whom shall be appointed for two years.

Superintendent of Streets.

SEC 91. The Street Superintendent shall have the general care of and frequently inspect the streets of the city. He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street obstructions. He shall frequently inspect all public works pertaining to street improvements while the same are in course of construction; inspect and approve, or reject, all material used in such construction, whether done under contract or otherwise; and shall at once report to the Commissioners of Public Works all deviations from contracts, and use of improper material and bad workmanship in such works, and shall have the power, pending investigation, to stop all work thereon. He shall perform such other duties as are herein elsewhere prescribed or imposed by ordinance. He shall devote his entire time to the duties of his office.

New Buildings within the Fire Limits.

SEC 92. The Board of City Trustees shall, by ordinance, provide for the inspections of all public buildings, and no building shall be erected in the city, within the fire limits, until the plans and specifications for said building are submitted to the Commissioners of Public Works, who shall make a careful calculation as to the strength of all the various parts provided for in said plans. The commissioners must give a permit to the owner or contractor, before any building, either public or private, shall be allowed to be erected within the aforesaid limits, said permit must state that the plans and specifications for said building had been submitted to them for approval, and that all proper care had been taken for the protection of life and health, under all conditions.

ARTICLE XII.

CITY WATERWORKS SYSTEM.

SEC 93. The Commissioners of Public Works shall have full power and authority

over the organization, government, and discipline of the Waterworks Department, and shall have control of the waterworks, and all other property pertaining or belonging thereto, and shall see that all employes in the department faithfully discharge their duties, and that the laws, ordinances, rules, and regulations relating thereto are observed. The commissioners shall make such rules and regulations as may be necessary to secure efficiency in the Waterworks Department; they shall only appoint such employes as may be necessary to carry on the work of the department in an efficient manner.

The Commissioners of Public Works, in making appointments of employes of the Waterworks Department, shall be guided solely by the fitness of the applicant; *provided*, that all employes shall be citizens of the United States; and no person shall be appointed to or removed from any position in said department on account of partisanship or political opinions.

Duties of the Superintendent.

SEC. 94. The permanent employes of the waterworks Department shall be a Superintendent and Assistant Superintendent.

The Superintendent shall reside in the City of Vallejo and have, under control of the Commissioners of Public Works, charge of all water mains and pipes, stand pipes, tanks, gates, valves, fire hydrants and taps, and shall supervise the laying, changing, or removal of all water mains, putting in taps, flushing hydrants and sewers, and shall perform such other duties as may, from time to time, be prescribed by the Commissioners of Public Works. He shall keep a correct record of all alterations or additions made to the main pipes, gates, valves, taps, and fire hydrants, and all labor performed under his direction; and account for all material and tools received or used in his department, and make a written report covering the same to the Commissioners of Public Works, on or before the eighth day of each month, together with such other recommendations as to him may seem to be in the interest of the public service. He shall examine all claims against the city for materials or tools used in his department, and said claims shall be first certified to by him before being presented to the Commissioners of Public Works for approval. He shall make up the monthly payroll of his department, certify to same, and present it to the Commissioners of Public Works, who shall verify it.

SEC. 95. The Superintendent shall have all the authority to make arrests that is vested in the police.

Duties of Assistant.

SEC. 96. The Assistant Superintendent shall have charge, under the Superintendent, of all reservoirs, other than Fleming Hill reservoir, and all pipe-lines beyond Fleming Hill reservoir, and have his residence as near as practicable to the Lower Falls in Green Valley. He shall, at least twice each week, make a thorough inspection of all the pipe-lines beyond Fleming Hill reservoir and all other reservoirs excepting that of Fleming Hill, and immediately report to the Superintendent any imperfections he may have discovered, together with any recommendations he may deem proper. The Assistant Superintendent shall be vested with the proper authority to make arrests, and he shall enforce all ordinances or rules for the preservation of the property of the City of Vallejo.

SEC. 97. The Superintendent shall have authority, to make repairs to pipe-lines or reservoirs immediately required, provided the cost of such repair does not exceed fifty dollars, and must immediately make a report in full of the work performed, together with his reasons for performing the same, to the Commissioners of Public Works.

SEC. 98. It shall be his duty to diligently and accurately ascertain the respective sums properly collectable for the use of city water from the several water-takers, according to the rates established by ordinance for that purpose, then in force, and report the same to the City Clerk, who shall accept such report as the minimum sums to be collected, and make collections of water rates accordingly, and shall not have power to make reductions from the sums so reported, but may collect a greater sum whenever he shall discover that any sum so fixed is less than is properly collectable. Nor shall any reduction be made in any of the amounts to be collected as reported by the City Superintendent, unless by order of the Board of Trustees. If the sum to be collected from any water-taker has not been reported by the City Superintendent, the City Clerk shall collect in such case the proper amount for water rates, in accordance with the ordinance, the same as if it had been reported by the City Superintendent.

SEC. 99. The Board of Trustees shall cause to be made, provided the same does not exist at the time this charter takes effect, a complete and comprehensive chart or map of the city water-pipe system, showing the location of every main, lateral, and size of such main or lateral pipe, fire hydrant, house tap, air valve, blow-off, and other important features. Said map or chart shall be kept up, and made to show all the extensions, additions, or alterations made from time to time in the system. Said map or chart shall be carefully preserved, and be kept in the office of the Commissioners of Public Works.

SEC. 100. The Board of Trustees shall, upon the recommendation of the Commissioners of Public Works, or of their own volition, order attachment of meters wherever water is used in large quantities, or is thought to be used in a wasteful manner; *provided*, that the cost of meter and attachment be paid by the city, and it is further *provided* that the Board of Trustees shall annually fix the water rates for consumers, and also the rate per thousand gallons, and they shall provide meters, at the expense of the city, to any consumer demanding the same, and all water rates shall be established

on the quantity consumed by each renter, as shown by the register or meter, said rate shall be by the thousand gallons consumed; *provided further*, that the board shall annually establish a graduated scale of rates per thousand gallons; all water rates shall be collected quarterly in advance.

ARTICLE XIII.

SCHOOL DEPARTMENT.

SEC. 101. The School Department shall comprise all the public schools in the school district of the City of Vallejo, and shall include primary, grammar, and high schools, and shall maintain them ten months in each year.

SEC. 102. The government of the School Department is hereby vested in a Board of Education consisting of five members, who shall be designated School Directors, and they shall serve without compensation.

SEC. 103. No person shall be eligible to become a member of the Board of Education who is not at least twenty-five years of age, the head of a family, and who has not been a resident of the city for three years next preceding his election.

SEC. 104. The Board of Education shall enter upon the discharge of its duties on the first Monday in April after their election, and the board shall meet upon said date and organize by electing one of their number president, whose term of office shall be two years. They shall hold regular meetings at least once each month, at such place and time as may be determined by its rules. Special meetings may be called by the president or by any three members. No business shall be transacted at such special meetings that has not been distinctly stated in the call. A majority of members shall constitute a quorum, but an affirmative vote of three members shall be necessary to pass any order. The sessions of the board shall be public, and its minutes open to inspection. The board may determine the rules of its proceedings, and the ayes and noes shall be taken and recorded when demanded, and they shall be taken and recorded on all questions involving elections or appointments or the expenditure of money.

Powers and Duties of School Directors.

SEC. 105. In addition to the powers and duties conferred by the general laws of the State, the Board of Education shall have power:

1. To establish and maintain public schools as provided in this article, and to change, modify, consolidate, or discontinue the same as the public welfare may require; to manage and control the school property.

2. To employ such teachers and persons as may be necessary to carry into effect its powers and duties. To fix, alter, and approve their salaries and compensation, and to withhold, for good and sufficient cause, the whole, or any part of, the wages, salary, or compensation of any person employed as aforesaid; and to promote, transfer, and dismiss teachers. All teachers elected by the first Board of Education after the adoption of this charter, shall be elected for the term of two years, and all subsequent boards shall elect teachers for two years, except in filling vacancies, which shall be for an unexpired term; and no teacher who shall, thereafter, be so appointed, shall be dismissed from the School Department, during such term, except for insubordination, immoral or unprofessional conduct, or evident unfitness for teaching. All promotions of teachers shall be based solely on merit and successful teaching. Nothing in this section shall be construed to prevent the board from removing teachers holding only special certificates, or serving a probationary term. Charges against teachers must be formally made, in writing, and shall be finally passed upon by the board, after giving the accused teacher due hearing.

3. To make, establish, and enforce all necessary rules and regulations for the government and progress of public schools, and for the investigation of charges against any person in the employ of the department, and to carry into effect the laws relating to education.

4. To establish and regulate the grade of schools, and determine the course of study, the mode of instruction, and what text books, in addition to those published by the State, shall be used in said schools; but any text-book adopted by the board shall not be changed within a period of four years after its adoption.

5. To provide for the School Department all necessary supplies, and incur such other incidental expenses as may be necessary for the welfare of the department.

6. To furnish the schools with proper school furniture, apparatus, and appliances, and to insure any and all school property.

7. To make requisition on the Commissioners of Public Works for the improvement and repairs to the school property whenever necessary.

8. To determine, annually, the amount of school tax necessary for the maintenance of free public schools, and for carrying into effect all provisions of law regarding the same; and the amount so determined by said Board of Education shall be reported, in writing to the Mayor and City Trustees. This report shall specify the proper items of the amount of money required, in addition to State and county school moneys, to maintain grammar and primary schools, the amount required for the high school, and other city schools and what will be required to pay all fixed and incidental expenses. The Mayor and City Trustees are hereby authorized and required to levy and collect, as school tax, the amount asked for by the Board of Education, when said amount does not exceed the sum of twenty cents on each one hundred dollars' valuation, as shown by the assessment roll. When the amount asked for exceeds the sum of twenty cents on the one hundred dollars' valuation, the Mayor and City Trustees may, in their dis-

cretion, levy and collect a sum not to exceed thirty cents on the one hundred dollars' valuation as shown by the assessment roll, but there shall be levied and collected not less than twenty cents on the hundred dollars' valuation as shown on the assessment roll.

9. To prohibit any child under six years of age from attending the public schools.

10. To admit non-resident children to any of the departments of the school, at their discretion, upon the payment, at such time as the board may direct, of tuition fees, to be fixed by the board; *provided*, that the tuition fee required to be collected shall in no case be less than the cost per capita of maintaining the school to which the pupil is admitted.

11. To dispose of at public or private sale such personal property as shall no longer be required by the department.

12. To exclude from the school and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.

13. To furnish books for children of parents unable to furnish them; and all books so furnished shall belong to the city, and shall be kept in the libraries of the schools when not in use.

14. To use and apply the school funds for the purposes herein named, and for no other purposes whatever; and, generally, to do and perform such other acts as may be required by general law applicable to the city schools and as may be necessary and proper to carry into force and effect the powers conferred on said board, and to increase the efficiency of public schools in said city.

15. On or before the first day of April in each year the board shall appoint a census marshal, whose salary shall not exceed seventy-five dollars, and he must file his report to the Board of Education in thirty days after his appointment. Any census marshal found incompetent shall be discharged and the vacancy filled. Said census marshal shall perform the duties of his office in accordance with the general school law of the State.

16. It shall be the duty of the board to prescribe a course of study for its high schools, and prescribe the text-books to be used therein.

17. Each member of the board shall visit every school in the city at least once in each term, and examine carefully into its management, condition, and wants.

18. It shall be the duty of the board to keep a correct account of all monthly expenditure, and they shall never expend for any purpose any amount of the revenue provided for the annual maintenance of the schools of the district, which will not leave a surplus equal to the full amount of the salaries of all teachers employed by the board; and all members of the board are charged with a knowledge of the School Fund; and each and every member of said Board of Education shall be held liable to each and every teacher for the full amount of salary provided for and agreed to be paid to each said teacher, and said teacher may bring suit against each and every member of said board for the full amount of any deficit that may exist in the salary of said teacher in violation of this section; and the court shall give judgment in favor of all such claimants, upon the proper proof being produced that the provision of this section was not fully carried out.

19. When the Board of City Trustees shall have agreed upon the amount of money that may be allowed in any one year for a high school, and the repair and supplies which may be required for the public schools of the city, showing the amounts required separately, they shall notify the Board of Supervisors of Solano County, and request them to place the same in the tax levy for the year; said tax shall be collected from all property, real and personal, in the school district of the City of Vallejo. Said district comprises all the territory within the corporate limits of the city, and all outlying territory which may be annexed to it for school purposes only, as is provided in this charter. The money when collected shall be kept in separate funds, to be known as the "High School Fund," and the "Repair and Supply Fund of the School District of Vallejo"; and all warrants must show the fund upon which they are drawn, and the object for which they are drawn. All warrants drawn on the above-named funds must be signed by the president, and countersigned by the secretary of the Board of School Directors. Any warrant drawn on any of the funds herein named, for any other purpose but that for which it was created, shall be rejected by the County Auditor. The president and secretary of the Board of School Directors are charged with a knowledge of the condition of said funds. Any officer of the board who signs or countersigns a warrant on any depleted fund, or for more than has been provided for the year in which the warrant was drawn, shall be guilty of a misdemeanor; and shall be personally liable to the school fund drawn on for the full amount.

20. The Board of Education shall immediately after its organization elect a secretary, whose salary shall not exceed two hundred dollars a year.

21. The Board of Education shall elect two of its members who, together with the president of the board, shall constitute a standing Committee on Classification.

22. The board shall, upon the receipt of the statement of the secretary, as hereinafter provided, call for sealed bids for furnishing the articles in said statement specified. These bids shall be publicly opened in the office of the Board of Education, and the contracts awarded to the lowest and best bidders. Bids shall be called for by advertisement in one daily newspaper published in the city.

Duties of School Officers.

SEC. 106. It shall be the duty of the president and secretary to report to the Board of Education annually, and at such times as it may require, all matters pertaining to the

expenditures, income, condition, and progress of the public schools of the city during the preceding year, with such recommendations as they may deem proper.

President.

SEC. 107. The president shall visit each school once a month, and at such other times as the welfare and efficiency of the schools demand, and shall observe, and cause to be observed, such rules for the regulation, government and instruction of the schools as may be established by the board.

The president may, for cause good and sufficient in his judgment, suspend any teacher employed in the schools of the city until the next meeting of the Board of Education, and may recommend to the board the dismissal of teachers, stating the reason therefor.

He shall attend all sessions of the board, and give information at each session of the condition of the schools, school-houses, school funds, and other matters connected therewith, and recommend such measures as he may deem necessary for the advancement of education in this city; and acquaint himself with all the laws, rules, and regulations governing the schools in the city, and the judicial decisions thereon, and give advice upon all matters connected with the schools gratuitously to officers, teachers, pupils, and their parents and guardians

Secretary.

SEC. 108. The secretary shall, at the regular meeting in the month of June of each year, submit to the board a detailed statement of the amount, as near as may be ascertained, of fuel, blanks, blank-books, books for indigent children, apparatus, and such other appliances as may be necessary for the use of the city schools and the board for one year following.

School Teachers.

SEC. 109. No teacher shall be elected or appointed to a position in the School Department who does not hold a primary, or grammar grade, or high school certificate in full force, and no one shall be elected to a permanent position who has not taught successfully at least one school year. All teachers thus selected to permanent positions in the department, who are reported upon favorably by a majority of the Committee on Classification, shall retain their positions for the ensuing two years without reelection, and shall be removed only for cause. No teacher shall be removed from a position held in the schools of the city, except by the votes of four members of the board.

Claims.

SEC. 110. All claims payable out of the School Fund shall be filed with the secretary of the board, and, before payment, shall be approved by a majority of all the members elected to said board, upon a call of ayes and noes, which shall be recorded.

ARTICLE XIV.

PUBLIC LIBRARY DEPARTMENT.

Library and Reading-Rooms.

SEC. 111. The Vallejo Public Library and Reading-Rooms shall be under the management of a board of five trustees; said trustees shall not receive any compensation for their services.

SEC. 112. The City Trustees shall, for the purpose of maintaining such library and reading-rooms, as the Board of Library Trustees may from time to time establish, and for purchasing books, journals, periodicals, etc., annually levy a tax on all property in the city not exempt from taxation, which shall not be less than five cents nor more than seven cents upon each one hundred dollars assessed valuation of said property. The proceeds of said tax shall be credited to the Library Fund.

SEC. 113. All revenue from such tax, together with all money or property derived by gift, devise, bequest, or otherwise, for the purpose of the library, shall be paid into the treasury, and shall be designated as the Library Fund, and be applied to the purposes herein authorized. If such payment into the treasury should be inconsistent with the conditions or terms of any such gift, devise, or bequest, the board shall provide for the safety and preservation of the same and the application thereof to the use of the library and reading-rooms, in accordance with the terms and conditions of such gift, devise, or bequest.

SEC. 114. The title to all property, real and personal, now owned or hereafter acquired by purchase, gift, devise, bequest, or otherwise, for the purposes of the library and reading-rooms, when not inconsistent with the terms of its acquisition, shall vest in the city, and in the name of the city may be sued for and defended by action at law or otherwise.

Powers and Duties of the Library Board.

SEC. 115. The board shall take charge of the Public Library and Reading-Rooms and of all real and personal property thereunto belonging, or that may be acquired by loan, purchase, gift, devise, or otherwise, when not inconsistent with the terms and conditions of the gift, devise, bequest, or this charter. It shall meet for business purposes at least once a month, and at such other times as it may appoint, in a place to be provided for the purpose. A majority of the board shall constitute a quorum for the transaction of business. It shall elect one of its number president, who shall serve for

two years and until his successor is elected; and shall elect a librarian and secretary, and shall fix the salary of the librarian. The secretary shall keep a full account of all property, money, receipts and expenditures, and a record of all its proceedings.

SEC. 116. The board, by a majority vote of all its members, to be recorded in its minutes with the ayes and noes, shall have power:

1. To make and enforce all rules, regulations, and by-laws necessary for the administration, government, and protection of the library and reading-rooms, and all property belonging thereto, or that may be loaned thereto.

2. To administer any trust declared or created for such library and reading-rooms, and provide memorial tablets and niches to perpetuate the memory of those persons who may make valuable donations thereto.

3. To purchase books, journals, publications, and other personal property for the use of the city library.

4. To order the drawing and payment of vouchers, certified by the president and secretary, of money from the Library Fund for any liability or authorized expenditure.

ARTICLE XV.

POLICE DEPARTMENT.

SEC. 117. The Police Department of Vallejo shall consist of a permanent force, which shall consist of such number of policemen, not less than three, and not exceeding one for each fifteen hundred inhabitants, as the Board of Trustees shall from time to time by ordinance authorize to be appointed. All policemen shall be nominated by the Mayor and confirmed by the Board of Trustees, such appointees to hold office during efficiency and good behavior. The last United States census shall govern as to population.

Chief of Police.

SEC. 118. From the number of policemen appointed the Mayor shall appoint a Chief of Police, subject to the approval of the Board of Trustees, such appointment to be made biennially.

Duties of the Chief.

SEC. 119. The Chief of Police shall have command and control of the police force, subject to the general supervision of the Mayor. He shall have power to suspend any policeman for disobedience of any lawful order, for the violation of the rules of the department, neglect of duty, drunkenness, or misconduct as a policeman; and he shall, upon suspending a policeman, promptly certify the fact, with the cause thereof, to the Mayor, who shall forthwith report the same, in writing, together with the charges preferred against such policeman, to the Board of Trustees; and if such policeman be found guilty by the board he shall be dismissed from the police force.

SEC. 120. The Chief of Police shall observe, and cause to be observed and enforced, all laws and ordinances within the city, and see that all lawful orders and process of the Board of Trustees and Justices' Courts within the city are promptly executed. For suppression of any riot, public tumult, disturbance of the peace, unlawful assembly, organized resistance to the law or public authorities in the performance of their duties, or in arresting persons for public offenses, he shall have the powers that are or may be hereafter conferred upon sheriffs by any law, and all his lawful orders shall be promptly executed by the police officers. In addition to the powers and duties herein enumerated the Chief of Police shall have such other powers and perform such other duties pertaining to the Police Department as may from time to time be conferred or imposed upon him by ordinance.

SEC. 121. The Chief of Police shall keep a public office, to be provided by the Board of Trustees, which office shall be kept open day and night. The Chief of Police shall devote his entire time to the discharge of the duties of his office, and shall not absent himself from the city, unless in pursuit of persons who have committed public offenses within the limits of the city. If such absence from the city be upon any other business not immediately connected with his office, except on vacation (and then only by written consent of the Mayor, filed with the City Clerk), he shall forfeit his salary for the time of such absence, and the proper amount shall be deducted from his next salary warrant by the City Auditor. Any policeman shall have the authority to execute the orders and process of the Justices' Court.

Patrolmen—their duties.

SEC. 122. No person shall be appointed to any position on the police force of the city, unless he shall be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States and a resident and elector of the city for at least one year next preceding his appointment. Nor shall any person be so appointed who has been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in health, strength, or courage, and every appointee shall be not less than twenty-five or more than forty years of age, and must, before being appointed, present to the Mayor a certificate from a physician, selected by the Board of Trustees, that the applicant is in sound health and free from any physical disability that would incapacitate him from the duties of a policeman.

SEC. 123. Except as otherwise in this charter prescribed, the Mayor and Board of Trustees in making the appointments of the members of the police force shall be guided

solely by the fitness of the applicant, and no person shall ever be appointed to or removed from the police force for, or on account of, partisanship, or for, or on account of, his political opinions. No member of the police force shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, or take any part in any general or primary election, except to vote; and any officer, member, or employé in said department violating any of the provisions of this section shall forfeit his position.

SEC. 124. No member of the police force shall be allowed to receive any money, gratuity, or compensation for any services he may render as an officer, except rewards which have been publicly offered for the apprehension and conviction of criminals, without the written consent of the Mayor, first filed with the City Clerk; and any member of the police force who shall violate this provision shall be at once removed from office. The members of the police force shall not follow any other profession, calling, or business, but shall devote their entire time to the performance of their official duties; nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except for a yearly vacation, not to exceed two weeks, and no two officers to have vacation at the same time.

SEC. 125. The members of the police force shall promptly and fully obey, enforce, observe, and cause to be obeyed and enforced, all lawful orders of their superiors and all rules and regulations of the Police Department. They shall be prompt and diligent in the detection of crime, the arrest of public offenders, with or without a warrant, the suppression of all riots, affrays, and disturbances of the peace, in the abatement of public nuisances, and the enforcement of the laws and city ordinances. It shall be the duty of each member of the police force to acquaint himself with the provisions of this charter, with all the ordinances of the city, and with all laws of the State defining public offenses and regulating criminal proceedings.

Special Policemen.

SEC. 126. In addition to the regular and extra police force, the Mayor may, at times when very large numbers of people, in addition to the permanent inhabitants, congregate in the city, appoint not to exceed five special policemen, to serve not to exceed two weeks, who shall receive the same compensation for their services as is paid to regular policemen. The Mayor may, also, by and with the consent of the Board of Trustees, upon the petition of any person, firm, or corporation, appoint at any time a special policeman for special service, to be paid for by such person, firm or corporation; *provided, however*, that the locality where such special policeman is to act shall be described in the warrant of appointment; *and provided further*, that no such appointment shall be made until the Board of Trustees, by affirmative vote of at least three of its members, authorize the appointment of a special policeman for such locality. The policeman so appointed shall not receive any pay from the city. All special policemen shall possess all the powers and discharge all the duties of regular policemen, and be under the direction and control of the Chief of Police, and be subject to and obey all rules and regulations of the Police Department. The term of office of any special policeman shall not extend beyond one year, nor shall such special policeman continue to act as such for a longer period than one year, unless reappointed.

The Board of Trustees shall prescribe the badge of office and uniform to be worn by members of the police force, *provided*, they conform as nearly as practicable to those adopted by cities of the first and second class.

ARTICLE XVI

HEALTH DEPARTMENT.

Board of Health.

SEC. 127. The Board of Health shall consist of five members, two of whom shall be practicing physicians, who shall be appointed by the Board of Trustees.

SEC. 128. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the president or any three members, and all meetings shall be public; three members shall constitute a quorum for the transaction of any business.

Powers and Duties of the Board, and Officers.

SEC. 129. Said Board of Health shall have supervision of all matters appertaining to the sanitary condition of the city and public institutions thereof, and full powers are hereby given to said Board over all questions of foul or defective drainage, and of the disinfection and sanitary cleaning of the streets, alleys, cellars, cesspools, sewers, or nuisances of any description, and of low places within the city limits calculated to receive and retain unhealthy deposits.

SEC. 130. The Board of Health shall exercise a general supervision over and be the custodian of all death and cemetery records now belonging to the city, and they shall cause to be kept, in books prepared for the purpose, complete records of all deaths, interments in the city cemeteries, and births occurring in said city. They shall adopt such forms and regulations for the use of physicians, undertakers, and superintendents of cemeteries as in their judgment may be best calculated to secure reliable, vital, and mortality statistics in said city, and prevent the spread of contagious and infectious diseases. They shall have power to prevent or forbid communication with infected

families or houses, and by the consent of the Mayor may provide the necessary attendants and supplies for the pesthouse.

SEC. 131. The Board of Trustees of the City of Vallejo shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt; and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and this charter shall be provided for by the Board of Trustees, who are hereby authorized and directed to make an appropriation therefor out of the General Fund.

President and Secretary—Duties.

SEC. 132. The Board of Health shall, upon its appointment, and annually thereafter, elect from its members a president and secretary. The secretary shall be a practicing physician and ex officio Health Officer of the city.

SEC. 133. The secretary shall see that the laws and ordinances of the city in relation to the public health and the regulations and orders of the Board of Health are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto, and issue all permits for burials or removals in any of the cemeteries of the city, and no interments shall be made therein, unless said Health Officer is satisfied of the correctness and reliability of the certificate of death, presented for his inspection. He shall have the powers of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

Health Officer.

SEC. 134. The Health Officer shall visit, once in each quarter, all public buildings and school-houses in said city. During such visits he shall examine the manner in which they are lighted, ventilated, and heated, and particularly as to their sanitary condition.

The Health Officer shall promptly report in writing to the superintendents or governing authorities of all schools the name and residence of every person sick with cholera, smallpox, scarlatina, diphtheria, or any contagious disease. Said superintendents when so notified must refuse admittance to the schools of any member of the household, one or more of whose inmates are sick from any of the aforesaid diseases. The person excluded shall be admitted on presenting a certificate from his or her attending physician, or from the Health Officer, that there is no longer any danger from contagion. When a case of contagious disease is reported to the Health Officer he may visit the premises where the person is, and when satisfied that said disease exists, he shall place a yellow flag or conspicuous notice on said premises, which shall remain during the continuance of the disease on said premises.

The Health Officer may cause to be removed to a smallpox hospital any person in said city affected with smallpox. When a case of smallpox exists in any house, and the person so affected is not removed to said hospital or pesthouse, the Health Officer shall immediately place a quarantine flag on said premises, and may place a competent person in charge thereof, who shall see that a quarantine is strictly enforced so long as public safety requires.

The Health Officer shall vaccinate, free of charge, all persons applying to him.

Every member of the Board of Health may administer oaths on matters connected with the Health Department.

ARTICLE XVII.

CEMETERIES.

SEC. 135. The Board of Trustees shall have power to create, control, regulate, abolish, or prohibit cemeteries, to sell or otherwise dispose of lots in those created, and to control and regulate interments within the city limits, and to provide for moving human remains from the city.

ARTICLE XVIII.

FIRE DEPARTMENT.

SEC. 136. The Fire Department and all property belonging thereto shall be under the management and control of the Board of City Trustees.

The Board of Trustees shall provide all necessary apparatus and appliances for the extinguishment and location of fires.

Officers of the Department.

SEC. 137. The Fire Department shall consist of a Chief Engineer and two assistants, and such companies and foremen, firemen, and employes as the Board of Trustees may, by ordinance, from time to time determine to be necessary. The Chief Engineer and foremen of the several companies shall constitute a Board of Management of the Department, of which board the Chief shall be chairman.

All appointments and removals in the department shall be made by the Board of Trustees, upon recommendation of the Board of Management.

SEC. 138. The Board of Trustees shall prescribe the qualifications for membership in the department, provide rules and regulations for its government, determine the manner of their enforcement, and the penalties for their violation, and it shall be the duty of the Board of Management to see that said rules are enforced.

Chief—His Duties.

SEC. 139. The Chief Engineer shall be the executive officer of the Fire Department, and ex officio Fire Marshal of the city, and it shall be his duty to see that the laws, orders, rules, regulations, and ordinances concerning the department are observed and carried into effect, and he shall also attend to such duties as Fire Warden as may be prescribed by the Board of Trustees.

Power to Make Arrests.

SEC. 140. The Chief Engineer and the Assistant Engineers while in the discharge of their duties shall be vested with all the powers of arrest and detention vested in police officers.

SEC. 141. The Chief Engineer and his assistants shall be elected by the members of the department. The officers of the several companies shall be elected by the members thereof.

SEC. 142. The salary of the Chief of the Fire Department and the manner of his election, and that of his assistants, shall remain as in this charter provided, until the department is reorganized, when the Trustees may, by ordinance, alter the same.

ARTICLE XIX.

REVENUE AND TAXATION

SEC. 143. All property in the city, not exempt under the laws of the State or the United States, excepting property used exclusively for public schools, and such as may belong to the United States, the State, to Solano County, or to the city, is subject to taxation for municipal purposes. All taxable property must be assessed at its full cash value. The term "cash value" shall mean the amount at which the property would be appraised if taken in payment of a just debt due from a solvent debtor. Land and improvements thereon must be separately assessed. A mortgage, deed of trust, contract, or other obligation by which a debt is secured shall, for the purpose of assessment and taxation, be deemed an interest in the property affected thereby. In case of debts so secured, the value of the property, less the value of security, shall be assessed and taxed to the owner of the property, and the value of the security shall be assessed and taxed to the owner thereof, and the taxes so levied shall be a lien upon the property and security.

SEC. 144. The City Assessor must, between the first Mondays of March and July of each year, ascertain the names of all persons taxable, and of all property in the city subject to taxation, and must assess such property to the person by whom it was owned or claimed, or in whose possession or control it was at noon on the first Monday of March next preceding; but no mistake in the name of the owner or supposed owner shall render the assessment invalid. In assessing solvent credits not secured by mortgage or trust deed, a reduction therefrom shall be made of debts due to bona fide residents of the State. The Assessor shall have power to, and he must exact from, each person a statement, in writing, under oath, setting forth specifically all the real and personal property owned by such person, or in his possession, or under his control, at noon on the first Monday in March. If any person, after demand made by the Assessor, neglects or refuses to give under oath the statement herein provided for, or to comply with the other requirements of this charter relating to assessments and taxation, the Assessor must make an estimate of the value of the property of such person, and the value so fixed by the Assessor shall not be reduced by the Board of Trustees.

SEC. 145. If the owner or claimant of any property, not listed by another person, is absent or unknown, the Assessor must make an estimate of the value of such property. If the name of the absent owner is known to the Assessor, the property must be assessed in his name; if unknown, the property must be assessed to "unknown owners."

SEC. 146. Any property willfully concealed, removed, transferred, or misrepresented by the owner thereof to evade taxation, must, upon discovery, be assessed at not exceeding ten times its value, and the assessment so made must not be reduced by the Board of Trustees. Any property discovered by the Assessor to have escaped assessment for the last preceding year, if such property is owned or controlled by the same person who owned or controlled it for such preceding year, may be assessed at double its value.

SEC. 147. On or before the twenty-fifth day of February of each year, the County Recorder shall furnish the City Assessor a list of all transfers of city property, and the amount thereof, also the names of all persons who have acquired property during the past year or since the last report has been submitted.

SEC. 148. The City Assessor must annually prepare an assessment book, with appropriate headings, alphabetically arranged, in which must be listed all property within the city subject to taxation; which assessment book must be completed by the Assessor on or before the first Monday of July. The Assessor shall also make a map book showing a plan of the various blocks of the city, and mark thereon, in each subdivision thereof, the name of the person to whom it is assessed. As soon as completed, the assessment book, together with the map book and statements, must be delivered to the City Clerk, who must immediately give notice thereof, and of the time the Board of Trustees will meet to equalize assessments, by publication in a daily newspaper published in the city; and in the meantime the assessment book must remain in his office for the inspection of all persons interested.

SEC. 149. The Board of Trustees must meet on the first Monday of July of each year to examine the assessment book and equalize the assessment. It must continue for that purpose from time to time, until the business of equalization is disposed of, but not later than the third Monday in July. The board has power, after giving notice, in such manner as it may by rule prescribe, to increase or lower any assessment contained in the assessment roll, so as to equalize the assessment of property and make it conform to the true value of such property in money. No reduction must be made in the valuation of any property unless the party affected thereby, or his agent, files with the board a written application therefor, verified by his oath, and showing the facts upon which such reduction is claimed. No reduction must be made unless such person, or his agent, attends or answers, under oath, all questions relating to the value of the property. The board may subpoena such witnesses and hear such other evidence in relation to the matter as it may deem proper.

SEC. 150. During the session of the board it may direct the Assessor to assess any taxable property that has escaped assessment, or to add to the amount, number, or quantity of property, when a false or incomplete list has been rendered, and to make and enter new assessments (at the same time canceling previous entries) when any assessment made by him is deemed by the board so incomplete as to render doubtful the collection of the tax. The clerk of the board must record, in a book kept for that purpose, all changes, corrections, and orders made by the board, and must enter upon the assessment book all changes and corrections so made, and must, on or before the first Monday in August, deliver the assessment book, so corrected, to the City Auditor.

SEC. 151. The City Auditor, as soon as the assessment book is delivered to him by the clerk, must proceed to add up the valuations and enter the total valuation of each kind of property, and the total valuation of all property on the assessment book; and must, before the third Monday in August, report a statement thereof, in writing, to the Board of Trustees.

SEC. 152. The Mayor, City Collector, and City Auditor shall constitute a Board of Estimate, of which board the Mayor shall be chairman and the Auditor shall be secretary. It shall be the duty of said Board of Estimate, on or before the second Monday of August of each year, to prepare and transmit to the Board of Trustees, accompanied by estimates and reports from the various departments of the city government, an estimate of the probable necessities of the city government for the next ensuing fiscal year, giving the amount required to meet the sinking and interest fund for any and all outstanding debts, together with the amount needed for salaries, and the probable wants of all the departments of the city government in detail, and showing specifically the necessities of each of the several specific funds to be provided for in the treasury. The estimate shall also show, as nearly as may be, what amount of income and revenue is likely to accrue to the treasury, and be collected, from fines, licenses, water rates, harbor dues, and all other sources of revenue, exclusive of taxes upon property, and shall give an estimate of what amount will be required to be levied and collected by tax upon all property in the city subject to taxation, in order to meet the necessities of such fiscal year. If such estimates shall show that an increased amount will be required in any specific fund over the amount required for such fund for the pending fiscal year, such estimates shall also state the reasons why such increase will be required. The salaries pertaining to the respective offices held by them shall be in full compensation for all services performed by the members of said Board of Estimate.

SEC. 153. The Board of Trustees shall annually fix the rate of taxation to be levied, and levy the taxes upon all property, both real and personal, in the city, necessary to raise sufficient revenue to carry on the various departments of the municipal government for the current fiscal year; *provided*, that the rate of taxation so levied shall not exceed in any year one dollar for each one hundred dollars upon the assessed value thereof, except for the payment of principal and interest of the bonded debt of the city, if any. Every tax has the effect of a judgment against the person, and every lien created by this charter has the effect of an execution levied against all property of the delinquent, and the judgment is not satisfied nor the lien removed until the taxes are paid or the property sold therefor. Every tax due upon personal property is a lien upon the real property of the owner thereof from and after twelve o'clock noon, of the first Monday in March in each year. Every tax due upon real property is a lien against the property assessed; and every tax due upon improvements on real property assessed to others than the real owner of the real property, is a lien on the land and improvements, which several liens attach at twelve o'clock noon, of the first Monday in March in each year.

SEC. 154. As soon as the Board of Trustees has fixed the rates of taxes for the year, the Auditor must compute and enter in a separate column in the assessment book, the respective sums, in dollars and cents, rejecting the fractions of a cent, to be paid on the property therein enumerated, and foot up the columns, showing the total amount of such taxes, and on or before the fourth Monday in September he must deliver said corrected and completed assessment book to the City Collector, and charge the Collector with the full amount of the taxes levied.

SEC. 155. Upon receipt by him of the assessment book, the Collector must publish, for at least five days, a notice in some daily newspaper published in the city, specifying:

First—That the taxes on all personal property, secured by real property, and one half the taxes on all real property, will be due and payable at the office of the City Collector on the first Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock p. m., and that unless paid prior thereto fifteen per cent

will be added to the amount thereof, and that if said one half be not paid before the last Monday next thereafter, at six o'clock p. m., an additional five per cent will be added thereto; that the remaining one half of the taxes on all the real property will be payable on, or after, the first Monday in January next thereafter, and will be delinquent on the last Monday in April next thereafter, at six o'clock p. m., and that unless paid prior thereto five per cent will be added to the amount thereof.

Second.—That all taxes may be paid at the time the first installment is due and payable.

SEC. 156. At any time after the duplicate assessment book has been received by the Tax Collector, and the taxes have become payable, the owner of any property assessed therein, who may claim that the assessment is void in whole or in part, may pay the same to the Tax Collector under protest, which protest shall be in writing, and shall specify whether the whole of the assessment is claimed to be void, or, if a part only, what portion, and in either case, the grounds upon which such claim is founded; and when so paid under protest, the payment shall in no case be regarded as a voluntary payment, and such owner may at any time within six months after such payment bring an action against the city in the Superior Court, to recover back the tax so paid under protest, and if it shall be adjudged that the assessment, or the part thereof referred to in the protest, was void on the ground specified in the protest, judgment shall be entered against the city therefor.

SEC. 157. The City Collector must mark the fact and date of payment or partial payment, as the case may be, in the assessment book opposite the name of the person assessed. He must also give a receipt to the person making the payment.

SEC. 158. On the last Monday in November of each year, at six o'clock p. m., all taxes then unpaid, except the last installment of the real property taxes, are delinquent, and thereafter the Collector must collect an addition of fifteen per cent thereon; provided, that, if they are not paid before the last Monday in April next succeeding, at six o'clock p. m., he shall also collect an additional five per cent thereon. On the last Monday of April of each year, at six o'clock p. m., all the unpaid portions of the remaining one half of the taxes on real property are delinquent, and thereafter the Collector must collect an addition of five per cent thereon; provided, that the entire tax on real property may be paid at the time the first installment is due; and provided further, that the taxes on all personal property unsecured by real property shall be due and payable immediately after the assessment of said personal property is made.

SEC. 159. On the second Monday in December of each year, the City Collector must attend at the office of the Auditor, with the assessment book, and the Auditor must carefully examine the same, and if satisfied that the statements there appearing of the taxes due and unpaid, are correct, he must foot up the amount of all taxes so due and unpaid, and must settle with him for the taxes paid, and require from him the Treasurer's receipt therefor.

SEC. 160. On the third Monday in May of each year, the Collector must attend at the office of the Auditor, with the assessment book, and must furnish and deliver to the Auditor at said time a complete "delinquent list" of all persons and property then owing taxes, in which list must be set down in numerical or alphabetical order all matters and things contained in the assessment book and relating to the delinquent persons or property. The Auditor must carefully compare the "delinquent list" with the assessment book, and if satisfied that it contains a full and true statement of all taxes due and unpaid he must foot up the amount of taxes so remaining unpaid, and credit the Collector therewith, and must settle with him for the taxes and percentages therein, collected since the December settlement, and require from him the Treasurer's receipt therefor. After such settlement with the Collector, the Auditor must charge the Collector with the amount of taxes due on the delinquent list, with five per cent added thereto, and within three days thereafter deliver said delinquent list, duly certified, to such Collector.

SEC. 161. After April thirtieth, and on or before the second Monday of each year, the Tax Collector must notify all persons, or their agents, by mail where postoffice address can be obtained, that their taxes have become delinquent, the amount of said taxes, and that the property will be sold unless paid prior to the third day of July of said year.

SEC. 162. On or before the fifth day of June of each year, the Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to the taxes due on real estate, where the real estate is liable therefor, or the several taxes are due from the same person. The expense of the publication shall be a charge against the city. The Collector must append to and publish with the delinquent list, a notice that unless the taxes delinquent, with the costs and percentages, are paid, the real property upon which such taxes are a lien will be sold at a time and place designated in the notice. The time of sale must not be less than twenty-one nor more than twenty-eight days from the first publication, and the place of sale must be at the City Tax Collector's office in the City of Vallejo. The publication must be made once a week for three successive weeks in one daily newspaper, or supplement thereto, published in the city. A copy of the publication, with the affidavit of the Collector attached thereto that it is a true copy of the same, that the publication was made in a newspaper, or supplement thereto, published in the city, and the date of each appearance, shall be filed with the City Auditor, which affidavit shall be prima facie evidence of all the facts therein stated.

SEC. 163. The City Collector must collect, in addition to the taxes and percentages due on the delinquent list, fifty cents on each tract of land separately assessed, as costs for preparing the lists.

SEC. 164. On the day and hour fixed for the sale, all the property delinquent, upon which the taxes of all kinds, penalties, and costs have not been paid, shall, by operation of law and the declaration of the Tax Collector, be sold to the city, and said Tax Collector shall make an entry, "Sold to the City," on the delinquent assessment list, opposite the tax, and he shall be credited with the amount thereof in his settlement, made pursuant to law; *provided*, that on the day of sale the owner or person in possession of any property offered for sale for taxes due thereon, may pay taxes, penalties, and costs due.

SEC. 165. Immediately upon completion of the sale provided for in the preceding section, the Tax Collector must transmit to the Auditor and Assessor a statement or report in proper form, showing in detail each sale wherein the city became such purchaser.

SEC. 166. The Tax Collector must make out a certificate of delinquent tax sale for each piece or tract of land sold, dated on the day of the sale, stating (when known) the name of the person assessed, a description of the land sold, that it was sold for delinquent taxes to the city, and giving the amount and year of the assessment, and specifying when the city will be entitled to a deed.

SEC. 167. A redemption of the property sold may be made by the owner, or any party in interest, within five years from the date of sale to the city, or at any time prior to the entry or sale of said land by the city, in the manner provided by the following section herein.

SEC. 168. In all cases where real estate has been or may hereafter be sold to the city for delinquent taxes, and the city has not disposed of the same, the person whose estate has been or may hereafter be sold, his heirs, executors, administrators, or other successors in interest, shall, at any time after the same has been sold to the city, and before the city shall have disposed of the same, have the right to redeem such real estate by paying to the City Treasurer the amount of taxes due thereon at the time of said sale, with interest thereon at the rate of seven per cent per annum; and also all taxes that were a lien upon said real estate at the time said taxes became delinquent; and also for each year since the sale for which taxes on said land have not been paid an amount equal to the percentage of taxes for that year upon the value of the real estate as assessed for that year, or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption, with interest from the first day of January of each of said years, respectively, at the same rate, to the time of redemption; and also all costs and expenses of such redemption, as hereinafter specified, the penalties as follows, to wit: Ten per cent, if redeemed within six months from date of sale; twenty per cent, if redeemed within one year therefrom; forty per cent, if redeemed within two years therefrom; sixty per cent, if redeemed within three years therefrom; eighty per cent, if redeemed within four years therefrom; and one hundred per cent, if redeemed within five years or any greater number of years therefrom. The penalties shall be computed upon the amount of each year's taxes in like manner, reckoning from the time when the lands would have been sold for the taxes of that year, if there had been no previous sale thereof. The Auditor shall, on the application of the person desiring to redeem, make an estimate of the amount to be paid, and shall give him duplicate certificates of the amount, specifying the several amounts thereof, which certificates shall be delivered to the Treasurer, together with the money, and the City Treasurer shall give duplicate receipts, written or indorsed upon said certificates, to the redemptioner, who shall deliver one of said receipts to the City Auditor, taking his receipt therefor. The City Treasurer shall settle for the moneys received as for other city moneys. Upon the payment of the money specified in said certificate, and the giving of the receipts aforesaid by the Treasurer and Auditor, any deed or certificate of sale that may have been made to the city shall become null and void, and all right, title, and interest acquired by the city, under and by virtue of the tax sale, shall cease and determine. The receipts of the City Treasurer and City Auditor may be recorded in the Recorder's office of the County of Solano, in the book of deeds, and the record thereof shall have the same effect as that of a deed of conveyance of the interest conveyed by such deed or certificate of sale.

SEC. 169. If the property is not redeemed within the time allowed by law for its redemption, the Tax Collector, or his successor in office, must make the city a deed of the property, reciting in such deed the name of the person assessed (when known), the date of the sale, a description of the land sold, the amount for which it was sold, that it was sold for delinquent taxes, giving the assessed value and the year of assessment, the time when the right of redemption had expired and that no person has redeemed the property in the time allowed by law for its redemption. No charge shall be made by the Tax Collector for the making of any such deed, and the acknowledgment of all such deeds shall be taken by the City Clerk free of charge. All such deeds shall be recorded in the office of the County Recorder of Solano County. The City Clerk shall provide uniform blank deeds, upon which all conveyances to the city under the provisions of this section shall be made. All such deeds, after being duly recorded, as herein provided, shall be forwarded by the County Recorder to the City Clerk. The City Clerk shall record all such deeds in a book to be provided for that purpose, in which book a marginal space shall be left to show the subsequent disposition of the property by the city.

In all cases where land has heretofore been sold to the city for delinquent taxes, the deed therefor shall be made to the city within one year after this charter takes effect ; *provided*, five years shall have elapsed after the date of such sale.

SEC. 170. The City Collector shall, after the first Monday in February of each year, collect the taxes due on personal property, except where real estate is liable therefor, by seizure and sale at public auction of any property owned by the delinquent. The sale must be made, after five days' notice, given by publication or by posting in three public places in the city, and must be of a sufficient amount to pay the taxes, percentages, and costs. For seizing and selling personal property, the Collector may charge, in each case, the sum of three dollars costs. On payment of the price bid, the delivery of the property, with a bill of sale, vests the title in the purchaser. All excess over the taxes, percentages, and costs of proceeds of any property sold must be returned to the owner, and, until claimed, must be deposited in the city treasury for his benefit. The unsold portions of the property seized may be left at the place of sale at the risk of the owner.

SEC. 171. The City Collector must, on the second Monday of July of each year, attend at the office of the City Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessments of persons and property not marked "paid" on the assessment book, and when taxes have been paid must note the fact in the appropriate column in the assessment book. The Auditor must then administer to the Collector an oath, to be written and subscribed on the delinquent list, that every person and all property assessed on the delinquent list, on which taxes have been paid, has been credited in the list with said payment, and that the taxes not marked "paid" have not been paid, and that the Collector has not been able to discover any property of the persons liable to pay the same, out of which to make the collection. The Auditor must then foot up the amount of taxes unpaid, and credit the Collector therewith, and have a final settlement with him ; and the delinquent list must remain on file in the Auditor's office. Interest must be collected on all such delinquent taxes, at the rate of one per cent per month from the time delinquent until paid.

SEC. 172. Any taxes, percentages, or costs, erroneously or illegally collected, may, by order of the Board of Trustees, be refunded by the Treasurer.

SEC. 173. The Assessor, between the first Monday in March and the first Monday in July in each year, must collect the taxes on all personal property, when the owner thereof has no real estate, or when, in his opinion, said taxes are not a lien on real property sufficient to secure the payment ; he may enforce such collection by seizure and sale of any personal property owned by the person liable to pay the tax. Such seizure and sale shall be conducted in the same manner as provided to be done by the Collector by section one hundred and seventy hereof. The Assessor and Collector are governed as to the amount of taxes so collected on personal property, by the rate of the previous year. When the rate is fixed for the year in which the collection is made, then, if a sum in excess of the rate has been collected, the excess shall be repaid by the Treasurer to the person from whom it was collected, and if a sum less than the rate has been collected, the deficiency must be collected as are other taxes on personal property.

SEC. 174. The Assessor must settle with the City Treasurer and pay into the treasury, daily, the personal property taxes collected by him, and the Auditor must, as soon as the assessment book for the year comes into his hands, note opposite the name of each person from whom taxes have been so collected, the amount thereof, and as soon as the rate for the year is fixed, he must also note on the assessment book, in connection with the previous entry, the amount of excess or deficiency.

SEC. 175. Omissions, errors, or defects of form in the assessment book, or in the delinquent list, may, with the written consent of the City Attorney, be supplied or corrected by the Assessor at any time prior to the sale for delinquent taxes. In the assessment, advertisement, and sale of taxes, initial letters, abbreviations, and figures may be made use of, and no assessment or act relating to the assessment or collection of taxes is illegal on account of informality, nor because the same was not completed within the time designated.

SEC. 176. All taxes assessed before this charter takes effect must be collected at the time provided for, and under the laws in force at the time the assessment was made, and all such taxes shall be valid and collectible the same as if this charter had not been adopted.

SEC. 177. Should the Board of Trustees at any time deem it necessary for the interest and protection of the city at large, or any portion thereof, or the property or health of the citizens thereof, or any other matter or thing, the object of which would be to advance the interests of the city, to contract and create any debts or obligations against the city for materials furnished and labor and services performed without having the funds in the treasury to pay the same, the said Board of Trustees may enter into contracts, and create debts or obligations, without interest, and are hereby empowered and authorized to levy and collect a special tax, annually or in one levy, to pay such debts and obligations so created, and provide the mode and manner of their payment ; *provided*, that no such debts, obligations, or claims shall be contracted or created against the city without first having been voted upon by the qualified electors thereof, unless expressly provided by this charter. Notice shall be given of such elections by publication for not less than two weeks theretofore in one daily newspaper published in the city, in which notice the contemplated repairs or improvements, and the cost or estimated cost of the same, and the manner it shall be paid for, shall be distinctly

stated. If two thirds of the votes cast at such election be in favor of the proposition named, then the board shall be authorized to proceed with the work, and to create the liability against the city to the extent so voted for. For all debts and obligations so contracted and created the said board shall issue warrants therefor, under the seal of the city, and specifying therein the date of election by which the issuance thereof was authorized and the total amount of warrants then issued under and by virtue of such authority.

SEC. 178. The aggregate amount of the bond and floating debt of the city shall never be allowed to exceed ten per cent of the value of all the real and personal property of the city, as shown on the last preceding assessment roll of the city.

ARTICLE XX.

IMPROVEMENT OF STREETS.

Public Streets.

SEC. 179. All streets, lanes, alleys, places, and courts in said City of Vallejo, now open or dedicated to public use, and of which the grade and width have been legally established, shall be deemed and held to be open public streets for the purposes of this article.

Expense of Work.

SEC. 180. The cost and expense of all work or improvements done upon any part of said streets, lanes, alleys, places, or courts, under the orders of the Board of City Trustees, shall be borne and paid for as follows:

First—The city shall pay out of the General Fund the cost and expense of all work done upon street crossings and intersections of streets, that have been or may be accepted by the city, after the acceptance of the same, of all work done in front of or that may be assessed to property owned by the city, or any of the departments thereof.

Second—The cost and expense of all grading, macadamizing, paving, planking, piling, and capping any street or portion thereof, and all curbs and gutters thereon, shall be assessed upon lands within the block or blocks adjacent thereto, as herein provided.

Third—The expense of all work on such portion of any street required by law to be kept in order by any person, company, or corporation having railroad trucks thereon, shall be borne and paid by such person, company, or corporation.

No assessments shall be levied upon any property, which, together with all assessments for street improvements that may have been levied upon the same property during the year next preceding, will amount to a sum greater than fifty per cent of the value at which said property was assessed upon the last assessment book of said city.

Accepting Streets.

SEC. 181. When any street or portion of a street, not less than one block, or any entire crossing shall have been paved with stone, or with such material as may be recommended by the Commissioners of Public Works and approved by the Board of Trustees, by ordinance, throughout the entire width of the roadway thereof, and curbs of stone and sidewalks shall have been constructed thereon, and a brick sewer or ironstone pipe shall have been constructed, as may have been adopted by said board, the same shall be accepted by the Board of Trustees, upon the recommendation of said commissioners, and all improvements of said streets, except for sidewalks, shall thereafter be done at the expense of the city. The Board of Trustees shall not accept any sidewalk or incur any liability against said city for the construction or repair of any sidewalk, except in front of or with respect to public property.

Applications for Street Work.

SEC. 182. When application is made to said board for any work or improvement, the cost and expense of which, or any part thereof, is to be assessed upon private property, the board shall investigate the same, and if it determine that such improvement is expedient, it shall so report to the Board of Trustees, and the Board of Trustees shall not order any such improvement until the same has been recommended by the Commissioners of Public Works. The commissioners may also, except as herein prohibited, recommend any improvement, the cost and expense of which is to be paid by the city, though no application may have been made therefor; and must make, with said recommendations to the Board of Trustees, an estimate of the expense, and in such case the Board of Trustees may order the same done.

When said board shall recommend any work to be done on a street intersection or crossing, where the streets do not intersect each other at right angles, it shall in each case determine what lots in the blocks adjacent to such intersection or crossing will be benefited by said work, and shall cause a map to be made on which shall be delineated the lots so to be benefited. Said map shall be transmitted to the Board of City Trustees with such recommendation. The commissioners shall not recommend, nor the Board of Trustees shall not authorize, any work to be done, or any improvements to be made on any street, lane, alley, court, or place in front of private property, except the cost of all work to be done, or improvements to be made, including incidental expenses, shall be assessed to the property so improved, except otherwise provided in this charter.

SEC. 183. The Commissioners of Public Works may recommend the making of any repairs or improvements that they may deem necessary for the public good, but before recommending to the Board of Trustees the ordering of any work or improvement, the

cost and expense of which, or any part thereof, is to be assessed to private property, said commissioners shall pass a resolution of their intention to recommend the same, specifying the work to be recommended, and shall fix a day when they shall take final action upon such resolution, and within ten days thereafter the secretary of said commissioners shall, without any further authority, cause a copy of said resolution to be published in one newspaper for a period of ten days. Said Board of Commissioners shall cause to be conspicuously posted along the line of said contemplated improvements, at points not more than one hundred feet distant apart, notices, not less than three in all, of the passage of said resolution. Each of said notices shall be headed, "Notice of Street Work," in letters of no less than two inches in length, and shall, in legible characters, state the fact of the passage of said resolution, its date, and briefly, the work of improvement proposed, and refer to resolution for particulars.

SEC. 184. At any time within ten days after the first publication of said resolution of intention, the owner of, or any person interested in, any lot liable to be assessed for the proposed improvement, may file with the secretary of the commissioners his objection to said improvement, stating briefly the ground thereof; and if at any time within said period of ten days the owners of a majority of the frontage of the lands liable to be assessed for said improvement shall file written objections to the same, the commissioners shall not recommend the ordering of said improvement, and shall not, within six months thereafter, pass any resolution of their intention to recommend the same, unless prior thereto they shall receive a petition therefor signed by the owners of a majority of the frontage of the lands liable to be assessed for said improvement.

Upon the day fixed in their resolution of intention for final action thereon, or at their next regular meeting, the commissioners shall consider and pass upon said objections.

If the commissioners shall consider that the objections are sufficient, they shall adopt a resolution to that effect, and shall not recommend the ordering of said improvement. If they shall consider that said objections are not sufficient, or if no objections are filed, the commissioners may recommend the ordering of said improvement, and must, with their recommendation, transmit to the Board of Trustees all objections to such recommendation that may have been filed.

At the next regular meeting after receiving from said commissioners their recommendations of such improvement, or at such time within thirty days thereafter, to which the hearing thereof by the Board of City Trustees may be postponed, the Board of City Trustees shall act upon such recommendation; and if any objections to the ordering of such improvement have been transmitted with said recommendations they shall consider and dispose of said objections before passing upon said recommendation. If the Board of Trustees shall consider the objections, or any of them, sufficient, it shall so declare by resolution. If the Board of Trustees consider the objections insufficient, it may, by ordinance, order the work or improvement done. Their action on said recommendations must, in each case, be certified to the secretary of the Commissioners of Public Works, and the secretary shall thereupon enter the facts so certified in his records of street work.

Street Assessments.

SEC. 185. When any work in or upon any public street shall have been completed according to contract, the commissioners shall make an assessment to cover the sum due for the work performed and specified in the contract, including all incidental expenses, in conformity with this article, according to the nature and character of the work; which assessment shall briefly refer to the contract, the work contracted for and performed, and shall show the amount to be paid therefor, together with any incidental expenses, the rate per front foot assessed, the amount of each assessment, the name of the owner of each lot, if known to said commissioners, and if not known the word "unknown" shall be written opposite the number or letter of each lot assessed, and shall have attached thereto a diagram exhibiting the street or streets crossing on which the work has been done, and showing the relative location of each distinct lot to the work done, numbered to correspond with the number in the assessment, and showing the number of front feet assessed for such work. A mistake in the name of the owner shall not invalidate the assessment.

SEC. 186. After making said assessment said commissioners shall cause notice thereof to be published for five days and to be delivered to the owner of each lot assessed, which notice shall state the day and hour when the commissioners will at their office take final action upon said assessment. If any of said lots are unoccupied said notice shall be posted in a conspicuous place upon said lots.

SEC. 187. If the owner of any lot affected by said assessment is dissatisfied with the action of the commissioners as to said assessment, he may appeal to the Board of City Trustees at its next regular meeting, or at any time within ten days after such final action, by filing with the secretary of the Commissioners of Public Works a notice of such appeal, and thereupon the secretary shall, within two days after receiving such notice of said appeal, transmit said assessment and diagram, with said objections and notice of appeal, to the Board of Trustees, and said board shall, in not less than ten days from the receipt thereof, consider and determine the sufficiency of said objections.

If it shall determine that said objections are well taken, it shall direct the Commissioners of Public Works to modify or change said assessment in the particulars wherein it is erroneous, and thereupon the like proceedings shall be had in making the assessment as in the first instance.

If the Board of City Trustees shall determine that the objections to the assessment

are not well taken, the clerk of said board shall certify such determination upon said assessment, and return said assessment so certified to the Commissioners of Public Works, and thereupon said assessment shall become final and conclusive.

When said assessment shall have become final and conclusive, it, together with the diagram of the lots assessed, shall be recorded in the book of assessments, to be kept in the office of the Commissioners of Public Works for that purpose, and the record thereof shall thereupon be signed by the President and Secretary of said board, and thereafter the assessment shall be a lien upon the respective lots assessed until the same is canceled or discharged as provided in this article, if not otherwise provided for in this charter.

SEC. 188. The expense incurred for any work authorized by this article, except for such portion of any street as is required by law to be kept in order or repair by any person, company, or corporation having railroad tracks thereon, shall be assessed upon the lots and land fronting thereon, except as herein otherwise specifically provided, each lot or portion of a lot being separately assessed in proportion to its frontage at a rate per front foot sufficient to cover the total expense of the work.

Street Crossings.

SEC. 189. The expense of the work on all street crossings where the streets intersect each other shall be paid by the city out of the Street Fund.

Other Street Work.

SEC. 190. The expense of all other work, not herein specifically provided for, shall be assessed according to such rules and regulations as the Commissioners of Public Works may have prescribed prior to the recommendation of said work.

Manner of Making Assessments.

SEC. 191. In making an assessment the Commissioners of Public Works shall act as a board, and the assessment shall be authenticated by the signature of a majority of said commissioners as "Commissioners of the Board of Public Works," and every assessment so authenticated and recorded in the book of assessments shall be prima facie evidence of the correctness and regularity of all proceedings of said commissioners and of the Board of Trustees prior to the date of such record.

SEC. 192. Upon the recording of an assessment as aforesaid, the president and secretary of the Commissioners of Public Works shall sign a warrant for its collection, and thereupon said assessment and diagram, with the warrant attached thereto, shall be delivered to the Tax Collector of said city for collection, who shall immediately give notice thereof by publication for ten days, except otherwise provided for in this charter. Said notice shall set forth in general terms the locality and character of the work or improvement for which the assessment was made, and shall notify all persons interested that a warrant for its collection has been given to said Tax Collector, and that unless payment is made within thirty days from the first publication of said notice the property so assessed will be sold to satisfy said assessment, if not otherwise provided for in this charter.

SEC. 193. When the assessment upon any of the lots delineated on said diagram shall be paid, the Tax Collector shall write the word "paid," together with the date of payment, opposite the number of said lot upon the assessment, and shall give to the person paying the same a receipt therefor, showing upon which lot said payment was made, and shall report the payment of said assessment to the secretary of the Commissioners of Public Works. Upon presentation of said receipt to the secretary of the Commissioners of Public Works he shall immediately enter upon the records of such assessment the fact and date of such payment.

SEC. 194. After the expiration of thirty days from the first publication of said notice by the Tax Collector, the assessment therein named shall be delinquent, and within twenty days thereafter, having published a notice for ten days, he shall sell the land upon which said assessments are delinquent. He shall add to the amount of the assessment on each lot its portion of the cost of advertising said sale. After making such sale the Tax Collector shall return the assessment and warrant, with a report of his doings indorsed thereon, to the office of the Commissioners of Public Works, and the secretary of said commissioners shall forthwith note in the record of said assessment, and opposite the number of each lot sold, the fact of payment or of the sale of said lot by the Tax Collector, together with the date and name of said purchaser. Said report of the Tax Collector shall be prima facie evidence of the correctness of all the proceedings taken by him in the matter of collecting said assessments.

Sale of Property for Delinquent Assessments

SEC. 195. The general revenue law of the city, in force at the time of said sale, in reference to the manner of sale of property for delinquent taxes, the execution of certificates of sale and deeds therefor, the force and effect of such certificates and deeds, and the provisions of said laws, in relation to the redemption from tax sales, except as herein otherwise provided, shall be applicable to the proceedings for the sale of land for delinquent assessments.

Payment of Contractor.

SEC. 196. When said sale is completed, the contractor shall present his demand for the work done under his contract, to the Commissioners of Public Works, who shall act upon the same; if the said commissioners approve said demand, or any part thereof, the

same must then be presented to the Board of Trustees, who shall pass on the same, and when audited by the Auditor, shall be paid by the Treasurer, out of the street fund: *provided*, that at any time before said sale, the Commissioners of Public Works, under such regulations as they may establish, may allow partial payments to be made to the contractor, as the work progresses, not to exceed twenty-five per cent of the value of the work done by the contractor at the time.

Plancking, Paving, and Macadamizing

SEC. 197. The Commissioners of Public Works may at any time, without application therefor, recommend to the Board of Trustees to order the plancking, paving, or macadamizing of the portion of any street required by law to be plancked, paved, or macadamized, by the person, company, or corporation having railroad tracks thereon. Upon such recommendation the Board of Trustees may, by ordinance, order such work to be done, and direct said commissioners to notify said person, company, or corporation of the fact of the passage of such ordinance. The secretary of the said commissioners shall thereupon forthwith, in writing, notify said person, company, or corporation of the passage of said ordinance; and if said person, company, or corporation shall not, within ten days after receiving said notice, commence in good faith to do said work, and prosecute the same diligently to completion, said Commissioners of Public Works shall invite sealed proposals for doing said work in the manner provided in the article on powers and duties of the Commissioners of Public Works, and all the provisions of said article in regard to such proposals, to the awarding of contracts, to the execution of contracts, and the doing of public work, shall apply to all similar proceedings taken under this section. On the completion of the work to the satisfaction of said commissioners, the contractor shall be entitled to recover from such person, company, or corporation, the contract price for the cost and expense of said work, together with incidental expenses, in an action instituted in a court of competent jurisdiction. On the trial of such action the certificate of said commissioners of the completion of said work to their satisfaction shall be prima facie evidence of the regularity of all proceedings prior thereto, and of plaintiff's right to recover in said action.

Improvement Must Extend Full Width.

SEC. 198. No ordinance for improvement of any street, other than for sewers, sidewalks, and curbs, except for the improvement of the streets constituting or lying along the water front of said city, and except for such work as is provided for in the last preceding section, shall be passed by the Board of Trustees without extending the said improvement throughout the whole width of said street.

Definitions.

SEC. 199. Whenever in this article the word "street" occurs it shall be held to include all streets, lanes, alleys, places, and courts which have been, or may be hereafter, dedicated to public use, and whose grade and width have been legally established; and the grade of all intermediate or intersecting streets in any one block shall be deemed to conform to the grades as established at the crossing of the main streets. The word "improvement" shall be held to include grading, paving, plancking, macadamizing, piling, and capping; and the construction and repair of public buildings, wharves, sewers, cesspools, manholes, culverts, drains, sidewalks, and curbs. The term "main street" shall mean such street or streets as bound a block, and the term "street" shall include crossing. The word "block" shall mean the blocks known or designated as such upon the maps and books of the Assessor. The word "pave" shall include any pavement of stone, iron, wood, or other material which the Board of Trustees may, by ordinance, order to be used. The term "expense" shall include the price at which the contract was awarded, and the term "incidental expense" shall include all expenses incurred in printing and advertising the work contracted for, charges for advertising shall be no greater on any work, or any part of any work, ordered done by the Board of City Trustees, or any other board having authority to order work done than is charged for what is known as "city printing," and no board or court shall allow any greater charge to be collected.

All notices and resolutions required in this article to be published shall be published daily in one newspaper published in the city, for the full period required by the ordinance providing for the said publication; *provided*, that Sundays or legal holidays shall not be counted as days of publication.

All notices required herein to be served, whether by delivery or posting, may be served by any male citizen of the age of twenty-one years, and his affidavit thereof shall be prima facie evidence of such service. The affidavit by the publisher of the newspaper in which the notice was published, or of his clerk, of the publication of any notice required in this article to be published, shall be prima facie evidence of such publication.

Changing Grade of Accepted Streets.

SEC. 200. When any street shall have been graded, paved, or otherwise improved in accordance with the terms of this charter, and the costs of said improvements shall have been paid by the owners of the lots or lands adjacent thereto, and such grading, paving, or other improvements shall have been accepted and established, no change shall be made in the grade of such street, unless on the petition of the owners of three fourths of the property fronting on said street. Upon the filing of said petition with the City Clerk, the Board of Trustees shall refer the same to the Commissioners of Pub-

lic Works, which shall determine whether the improvement described would be a public benefit, and shall report their decision to the Board of Trustees. If the report of said board should favor granting the request of the petitioners, the Board of Trustees shall proceed in the manner specified hereinafter.

New Streets, Public Grounds, Etc.

Sec. 201. In all cases where land in said city shall be hereafter subdivided and laid out into blocks or plots, with lots, streets, and alleys, or where new streets or public grounds shall be laid out, opened, donated, or granted to the public by any proprietor, the map or plat thereof shall be submitted to the Commissioners of Public Works for their approval, and if the commissioners approve the same, such approval shall be by them indorsed upon said map or plat, and said map, with said approval, shall then be filed in the office of the Recorder of Solano County; and without such approval indorsed thereon no map or plat shall be filed in the office of said Recorder, or shall have any validity; nor shall any street, alley, or public ground hereafter opened and dedicated as such, become or be a public street or be subject to any public improvement or expense, without such approval, indorsement, and filing.

Emergency Repairs.

Sec. 202. Said commissioners shall cause to be made all urgent repairs upon accepted streets that may from time to time be requisite for public safety, and for that purpose may employ such laborers as may be necessary, and at such wages as is in this charter provided; but when the cost and expense of such repairs upon any accepted street, or portion of a street, shall exceed the sum of two hundred dollars, exclusive of material to be furnished from the corporation material yard, if there be any such material on hand, the same shall be done under contract, awarded in the manner provided in this charter.

All work required to be done on any street, or part of any street, in said city which has not been accepted, shall be done at the expense of the owners of the property fronting on said street, or part of said street, and in the manner provided in this article, *provided*, that the Board of Trustees may provide for such repairs on unaccepted streets as the Commissioners of Public Works may recommend as necessary to public safety; *provided, also*, that no greater sum than five hundred dollars shall be expended for that purpose in any one year.

Contracts for Material and Supplies.

Sec. 203. Said commissioners shall, from time to time, after they have been directed to do so by the Board of Trustees, by ordinance, invite proposals for supplying to the city such materials as may be required for the repair of public streets, or for any improvement thereon, and such proceedings shall be had in awarding the contract therefor, as are in this charter provided for awarding other contracts.

Corporation Yard.

Sec. 204. The Board of Trustees shall select some place in said city which shall be known as the "corporation material yard," wherein shall be kept all material, tools, and implements to be used in cleaning and repairing the streets, or for any improvement thereto. Said yard shall be under the control of the Commissioners of Public Works.

Serial Bonds for Street Improvement

Sec. 205. Whenever the Board of Trustees shall find, upon the estimates of the Commissioners of Public Works, that the cost of any proposed work or improvement authorized by this charter, will be greater than one dollar per front foot along each line of street so proposed to be improved, including the cost of intersection work assessable on said frontage, it shall have the power, in its discretion, to determine that serial bonds shall be issued to represent the cost of said work or improvement; said bonds to be issued, and the work to be done, in accordance with the provisions of an Act of the Legislature of the State of California, entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27th, 1893.

Said serial bonds shall extend over a period not exceeding ten years from their date, and an even annual proportion of the principal sum thereof shall be payable, by coupon, on the second day of January of every year after their date, until the whole is paid, and the interest shall be payable semi-annually, by coupon, on the second days of January and July, respectively, of each year, at the rate of not to exceed seven per cent per annum, on all sums unpaid until the whole of said principal and interest are paid. Said bonds and interest thereon shall be paid at the office of the City Treasurer, who shall keep a fund designated by the name of said bonds, into which he shall receive all moneys paid him for the principal of said bonds and the interest thereon, and from which he shall disburse such sums upon presentation of said coupons; and under no circumstances shall the said bonds or the interest thereon be paid out of any other fund. Said Treasurer shall keep a register in his office, which shall show the series, number, date, amount, rate of interest, payee, and indorser of each bond, and the number and amount of each coupon of principal or interest paid by him, and shall cancel and file each coupon paid.

Sec. 206. All work on the public streets in the city, as embraced in the Act of the Legislature of the State of California entitled "An Act to provide for work upon streets,

lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18th, 1885, and all Acts amendatory thereof, or supplementary thereto, shall be done by authority of the Trustees, and in conformity with the provisions of the said Act, except as otherwise provided for in this charter.

Sewers and Drainage.

SEC. 207. The Commissioners of Public Works shall devise, subject to the approval of the Board of Health, a general system of drainage, which shall embrace all matters relative to the thorough, systematic, and effective drainage of the city, and shall from time to time make to the Board of Trustees such recommendations upon the subject of sewerage and drainage as it may deem proper.

SEC. 208. The Commissioners of Public Works shall prescribe the location, form, and material to be used in the construction, reconstruction, and repair of all public sewers, manholes, sinks, drains, cesspools, and all other appurtenances belonging to the drainage system, and every private drain or sewer emptying into a public sewer, and determine the place and manner of the connection.

SEC. 209. The commissioners shall recommend to the Trustees rules and regulations concerning the public and private sewers and drains in the city, and upon recommendation of said commissioners, the Board of Trustees are authorized to pass an ordinance establishing the same and prescribing the penalties for any violation thereof.

SEC. 210. No person shall connect with, or open, or penetrate any public drain or sewer without first obtaining a permit in writing from said Commissioners of Public Works, and complying with the rules and regulations of the commissioners in relation thereto.

SEC. 211. Within one year after this charter shall go into operation, the Board of Trustees shall by ordinance provide that all premises along any street, or part of a street, in which there is a public sewer, shall connect with said public sewer. Upon the approval of said ordinance the Commissioners of Public Works shall give notice, by publication in one newspaper published in this city, for ten days, that all premises on any street, or part of a street, having a public sewer in it, must be connected by such drain or sewer as may be approved by the Board of Public Health; should any owner of any of said premises fail or neglect to have said connection made within six months from the date of the last publication of said notice, the Commissioners of Public Works shall proceed to, and make, such connections as they may deem proper, and all cost of making such connection shall be charged against the property, and shall be collected in the manner that all taxes or assessments are collected.

SEC. 212. Whenever the Commissioners of Public Works make any connection under the provisions of this article, they shall prepare a bill which shall give the exact amount of cost of said work, and the secretary of the commissioners shall furnish the owner of the premises and the Tax Collector, each with a copy, and the commissioners shall retain on their file a copy of the same.

SEC. 213. The Board of Trustees shall have power to require, upon such notice as the board may direct, any lots, or portion of lot, within the city, which may be covered with stagnant water a portion of the year, to be filled up to such a level or grade as will prevent the same from being covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon.

ARTICLE XXI.

MISCELLANEOUS.

Illegal Approval of Demands.

SEC. 214. Every officer who shall approve, allow, or pay any demand on the Treasury not authorized by law, ordinance, or this charter, shall be liable to the city, individually, and on his official bonds, for the amount of the demand so illegally approved, allowed, or paid.

Buildings upon Wharves.

SEC. 215. No person, company, or corporation shall erect or maintain any building or structure, upon any wharf upon which there is a franchise, without the consent of the Board of Trustees, evidenced by ordinance, and said ordinance must clearly set forth the purpose for which such building or buildings are intended to be used, and if the proposed building or structure is to be used and maintained for the transaction therein of any business that cannot be lawfully conducted without a special permit, or license, the Board of Trustees shall have no power to pass such an ordinance; and if any such building or structure shall be on any wharf within the city limits, and if maintained or used for the transaction of any other business than that which is set forth in the franchise, or that requires to be licensed, when this charter goes into effect, the Board of City Trustees shall, by ordinance, order said building or structure removed within a definite time to be specified in said ordinance, and if the owner or person in control of the same shall neglect or refuse to remove it within the specified time, then the Commissioners of Public Works shall remove the same, and the owner shall have no claim against the city for damage, upon account of said removal.

Remuneration of Officials for Expenses Incurred.

SEC. 216. Whenever it shall become necessary for the interests of the city that any member of the Board of Trustees, Commissioners of Public Works, Library Trustees, or Chief of the Fire Department should be called upon to perform any duty for the city which involves travel, and incidental expenses in connection therewith, or to incur any other necessary expense, the member or members of such boards, or the Chief Engineer

of the Fire Department, shall get an order or permit to incur such expense, from the Mayor, upon such form as may be adopted; on the completion of such duty such member of such boards, or the Chief Engineer of the Fire Department, shall render an itemized bill to the Board of Trustees, and upon approval of the same by the board, and being audited by the City Auditor, it shall be paid by the Treasurer as in this charter provided.

Limit of Indebtedness.

SEC. 217. No board within the City of Vallejo shall incur any indebtedness or liability in any manner, or for any purpose, exceeding in any year the income and revenue provided for it for such year, without the assent of two thirds of the qualified electors of the city voting at an election to be held for that purpose, nor unless, before, or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within forty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void.

Amendments to the Charter.

SEC. 218. Whenever there shall be presented to the Trustees a petition signed by a number of voters equal to fifteen per centum of the votes cast at the last preceding State or municipal election, asking that amendment or amendments to this charter, to be set out in such petition, be submitted to the people, the board must submit to the vote of the electors of the city the proposed amendment or amendments.

The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that the statements made therein are true, and that each signature to such paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

The Board of Election Commissioners must make all necessary provisions for submitting the proposed amendment or amendments to the electors at a special election to be called by it, and shall canvass the vote in the same manner as in other cases of election.

All the provisions of the Constitution of the State embracing the subject in this section provided for are hereby expressly applicable to such proposed amendment or amendments. But if at any time there shall be no constitutional provision or provisions under which this charter may be amended, then the aforesaid amendment or amendments must be submitted by the Board of Election Commissioners to the vote of the electors of the city at the election which next ensues after such petition is filed with the Trustees, if any such election is not to be held within sixty days after the filing of such petition.

The tickets used at such election shall contain the words "For the Amendment" (stating the nature of the proposed amendment), and "Against the Amendment" (stating the nature of the proposed amendment).

If three fifths of the votes cast upon such amendment or amendments shall be in favor of the adoption thereof, the Board of Election Commissioners shall, within thirty days from the time of such election, proclaim such fact, and thereupon this charter shall be amended accordingly.

Former City Ordinances.

SEC. 219. All city ordinances, resolutions, and other regulations now in force and not inconsistent with the provisions of this charter, shall be and remain in full force after this charter takes effect until changed or repealed by the proper authority.

CERTIFICATE.

We, the undersigned members of the Board of Freeholders of the City of Vallejo, elected at the regular municipal election held on the twenty-first day of March, eighteen hundred and ninety-eight, have prepared and do hereby propose as a charter for said city the foregoing, consisting of twenty-one articles, and two hundred and nineteen sections.

Done in duplicate at the City of Vallejo, this seventeenth day of June, Anno Domini eighteen hundred and ninety-eight.

E. B. HUSSEY.
W. T. KELLEY.
J. R. WHITAKER.
J. J. LUCHSINGER.
JAS. A. LAMONT.
D. W. HARRIER.
GEO. W. EDGUMBE.
SAMUEL BROWN.
JOHN MINAHAN.
J. H. BRENNAN.
S. J. MCKNIGHT.
H. L. HALLIDAY.
GEO. J. CAMPBELL.
WM. C. GREEVES.
CORNELIUS McCAULEY.

Attest: GEO. A. RONEY, Secretary.

STATE OF CALIFORNIA,
COUNTY OF SOLANO, CITY OF VALLEJO. }

This is to certify that we, W. B. Pressey, President of the Board of City Trustees of the City of Vallejo and C. F. Muiridge, City Clerk of said City of Vallejo, have compared the foregoing proposed and ratified charter with one of the duplicates mentioned therein, and find that the same is an exact copy thereof; and we further certify that the facts set forth in the preamble preceding said charter herein are true.

Dated Vallejo, Cal., January 14, 1899.

W. B. PRESSEY,
President of Board of City Trustees of the City of Vallejo.
C. F. MUGRIDGE,
City Clerk of the City of Vallejo.

The question being on the passage of Substitute for Senate Concurrent Resolution No. 3 (the ratification of the Vallejo charter).

The roll was called, and Substitute for Senate Concurrent Resolution No. 3 passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, Muenster, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, and Works—55.

NOES—None

RESOLUTION.

SENATE JOINT RESOLUTION No. 6.

Relative to the construction of navy yards and ship building.

WHEREAS, The United States has expended for plants and sites for navy yards and stations more than one hundred million dollars. The expenditure of this vast amount of public money was made that the nation might have under its immediate control a number of navy yards and stations conveniently located and properly equipped where it could build, repair, and equip its ships of war. We now have at least three navy yards that are equal to any demand which may be made upon them; one of these is located in California, namely, Mare Island Navy Yard. Notwithstanding that the nation has its own navy yards fully equipped, the policy pursued by those in charge of the Navy Department has been to give the building of the navy to private establishments; such a policy is neither wise nor economical, and is directly opposite that followed by all of the great naval powers of the world. England and France never lose sight of the interest of the dock yards of the nation; they keep the dock yards always full of work, even if the private establishments of the country be forced to remain idle. We believe that it is both wise and patriotic to assist the development of private enterprise to the fullest possible degree, having a due regard to the public good. We condemn any policy that will favor private enterprise to the total neglect of the public dock yards of the country, as we would equally oppose the total neglect or discouragement of private enterprise—by having all work required for our navy done in the navy yard. We believe that both should be encouraged and assisted, so that in time of great emergency the country would find it possible to have its work done in either or both places with dispatch. We favor the encouragement and building up of our navy yards because it is the best possible safeguard the country can have against the formation of trusts or combines in ship building; it also will be the means of securing under the control of the Navy Department a trained corps of mechanics who can be relied upon at all times. England, the greatest naval power in existence, almost entirely relies on her dock yards for the construction of her ships of war. To such a state of perfection has the dock yard system of England been brought, that the Board of Admiralty can estimate almost to a dollar the cost of the heaviest battle ship, and to a day as to the time needed for its construction. She has demonstrated beyond a doubt that the cheapest, quickest, and most economical place to have her war ships constructed is in her own dock yards. We believe that what England has been able to do in this line, we can do, if the proper encouragement be given; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to have inserted in the present Naval Appropriation Bill a provision providing that a fair proportion of the vessels provided for in that bill shall be constructed in the navy yards of the country, and that at least one of them be constructed at the Mare Island navy yard. We also call their attention to the fact that all the ships provided for in the Naval Appropriation Bill for the fiscal year of eighteen hundred and ninety-seven and eighteen hundred and ninety-eight have not yet been contracted for, nor assigned, and we hope that they may use their influence with the Navy Department to have some portion of them built at Mare Island;

Resolved, That the Secretary of the Senate be requested to immediately transmit to each of said Senators and Representatives a copy of these resolutions.

The roll was called, and Senate Joint Resolution No. 6 passed by the following vote:

AYES—Messrs Anderson, Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Hoey, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milce, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and Works—55.

NOES—None.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Mr. Raw, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, January 21, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 21, 1899. }

The Assembly met at ten o'clock A. M., pursuant to adjournment.
Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—71.

Quorum present.

LEAVES OF ABSENCE.

Mr. Clark was granted leave of absence for one day, on motion of Mr. Anderson.

Mr. Wardell was granted leave of absence for one day, on motion of Mr. Hanley.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

APPROVAL OF JOURNAL.

The Journal of Thursday, January 19, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Constitutional Amendment No. 2—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Judiciary Committee
DE LANCIE, Chairman.

Assembly Constitutional Amendment No. 2 re-referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Mr. Cospér:

Resolved, That whereas, the Special Committee on Investigation was unable to secure a room in which to continue its deliberations yesterday, and none can be secured thus far to-day, this Assembly-room shall be at the disposal of said committee immediately after to-day's adjournment, and the *Sergeant-at-Arms* is hereby directed to put the same and keep it in proper condition.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly resolution of January 11th, by Mr. Merrill, as follows:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to purchase for the use of the Assembly eighty-five copies of County Government Act in California, annotated by W. F. Henning, and the State Controller is hereby instructed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly for the same, and the State Treasurer is hereby authorized to pay said warrant.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

HUBER, Chairman.

Mr. Huber moved to adopt the resolution.

Mr. Melick moved to amend as follows:

Strike out the words "eighty-five" and insert in lieu thereof the word "one."

Motion carried, and it was so ordered.

Resolution, as amended, adopted.

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: Your Committee on Rules and Regulations report and recommend that subdivision 34 of Rule XXVI be amended by striking out the word "nine," and inserting the word "ten" in lieu thereof.

DIBBLE, Chairman.

Adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Dibble:

Resolved, That the State Printer be instructed to print immediately five hundred copies of the Standing Rules of the Assembly, together with the names of the members of Committees of the House, and that he be instructed to keep the form standing until the adoption of the Joint Rules of the two houses.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report

that the following Assembly Joint Resolution has been correctly enrolled: Assembly Joint Resolution No. 2—and was presented to the Governor January 20th, at three o'clock and fifteen minutes P. M.

RICKARD, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessments in reclamation districts, and to provide for a hearing of the land owners before the Commissioners of Assessment, in relation to such assessments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for non-user of corporate powers—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

DUNLAP, Chairman.

Assembly Bills Nos. 103 and 145 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 238—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Also: Assembly Bill No. 252—An Act to pay the claim of E. N. Strout for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Claims.

VALENTINE, Chairman.

Assembly Bills Nos. 238, 248, and 252 referred to Committee on Claims.

RE-REFERENCE OF BILLS.

Mr. Hoey moved that Assembly Bill No. 366 be recalled from Committee on Public Works, State Capitol, and Parks and re-referred to Committee on Labor and Capital.

So ordered.

Mr. Feliz moved that Assembly Bill No. 277 be recalled from Committee on Judiciary and re-referred to Committee on Fish and Game.

So ordered.

WITHDRAWAL OF BILL.

Assembly Bill No. 282 was withdrawn by the author.

At ten o'clock and forty minutes A. M., the Speaker called Mr. Johnson to the chair.

RESOLUTIONS.

By Mr. Dibble:

Resolved, That Mr. Johnson, of Sacramento, and Mr. Works, of San Diego, be added to the special committee on investigation of the charges of corruption in relation to the election of United States Senator.

Resolution adopted.

By Mr. Melick:

Resolved, That hereafter the History of the Assembly be issued on Monday and Thursday, instead of daily, as heretofore, and that the State Printer be instructed to this effect.

Referred to Committee on Rules and Regulations.

By Mr. Valentine:

Resolved, That the State Printer be and he is hereby directed to print Senate Bill No. 199 out of order, and return the same to the Sergeant-at-Arms of the Assembly by eleven o'clock and thirty minutes A. M., January 21, 1889.

Resolution adopted.

Mr. Dibble moved that special orders and third reading of bills be passed, and that the Assembly do now take up second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Passed on file.

Assembly Bill No. 52—An Act to reduce the Judges of the Superior Court of San Bernardino County to one.

Read second time, ordered considered engrossed and to third reading.

Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read second time.

COMMITTEE AMENDMENTS.

AMENDMENT No. 1.

Insert the word "hereafter" after the word "decree," in line 20, page 2, of the printed bill, in Section 1.

Adopted.

AMENDMENT No. 2.

Strike out the words "now pending or hereafter commenced," in lines 21 and 22, page 2, of the printed bill, in Section 1.

Adopted.

AMENDMENT No. 3.

Insert the word "hereafter" after the word "decree," in line 15, page 2, printed bill, in subdivision 2 of Section 2 of the bill.

Adopted.

AMENDMENT No. 4.

Strike out the words "now pending or hereafter commenced," in lines 15 and 16, printed bill, in subdivision 2 of Section 2 of the bill.

Adopted.

Bill ordered to printer, engrossment, and third reading.

Assembly Bill No. 125—An Act to prevent deception in the sale of process or renovated butter.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 126—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Read second time, ordered to engrossment and third reading.

ASSEMBLY JOINT RESOLUTION No. 5.

Resolution as to making upon the Island of Molokoi a leper hospital for the care of all lepers in the United States.

WHEREAS, There has been lately annexed to these United States a large island known as Molokoi, one of the Hawaiian Islands; and

WHEREAS, There are within this State many unfortunates cursed with the dreadful disease of leprosy; and

WHEREAS, It is absolutely necessary that those so afflicted should be so isolated in order that the health of the masses be not contaminated; and

WHEREAS, The expense to our State and to the municipalities therein, in maintaining separate hospitals and pesthouses therein, is very great and entirely unsatisfactory; and

WHEREAS, Upon the said Island of Molokoi there is a leper hospital, devoted entirely to the care and cure of lepers, and which island, on account of its locality and conditions, is peculiarly adapted for such purposes; therefore, be it

Resolved by the Assembly and Senate, jointly, That we hereby recognize the great necessity of having all those afflicted with leprosy confined within and upon the said Island of Molokoi, both because of its isolated condition and equable climate, and also because it will be a great financial saving to our State and to the municipalities therein; and be it

Resolved, That we call upon our representatives in Congress to use every honorable effort to have every leper found within this State, or hereafter to be found herein, sent to the said Island of Molokoi for care and treatment; and be it further

Resolved, That the Governor be requested to transmit these resolutions to our Senators and Representatives in Congress.

The question being on the passage of Assembly Joint Resolution No. 5.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Clough, Cobb, Crowder, De Lancie, Dunlap, Fairweather, Felix, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kenreally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, and Works, and Mr. Speaker—56.

NOES—None.

Mr. E. D. Sullivan moved that Assembly Joint Resolution No. 5 be immediately transmitted to the Senate.

So ordered.

ASSEMBLY JOINT AND CONCURRENT RESOLUTIONS.

Assembly Concurrent Resolution No. 5—Relative to the construction of the Nicaragua Canal.

Assembly Joint Resolution No. 6—Relative to the Nicaragua Canal.

Mr. Melick offered the following as a substitute for Assembly Concurrent Resolution No. 5 and Assembly Joint Resolutions Nos. 6 and 9, and moved its adoption:

ASSEMBLY JOINT RESOLUTION NO. 11.

Relative to construction of Nicaragua Canal, to be owned by United States.

WHEREAS, The prompt construction of the Nicaragua Canal is of vital importance to our country and calculated to foster the domestic and foreign commerce of the Republic; therefore, be it

Resolved by the Assembly, the Senate concurring, That we urgently request the Congress of the United States to enact laws and take the necessary steps required to provide for the construction of the Nicaragua Canal, to be owned and operated by the United States, thus affording a short water route between the Atlantic and Pacific shores and quicker communication with foreign lands, at reasonable tolls and without discrimination; be it further

Resolved, That our Senators be instructed, and our Representatives in Congress requested, to use all honorable means to secure the immediate consideration and passage of laws to carry out the objects of the foregoing resolution; be it further

Resolved, That the Governor of the State of California telegraph a copy of these resolutions to the President of the Senate and Speaker of the House of Representatives of the United States, and mail a copy thereof to each member of the California delegation in Congress, all the expense to be paid out of the Contingent Fund of the Assembly.

Unanimously adopted.

SPECIAL ORDER.

Senate Bill No. 199—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employés of the Legislature.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brown, Cargill, Clough, Cobb, Cosper, De Lancie, Devoto, Dibble, Dunlap, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muenter, Raub, Raw, Rickard, Eugene Sullivan, Valentine, and Works—42.

NOES—Messrs. Belshaw, Boone, Brooke, Caminetti, Conrey, Crowder, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, La Barea, Mack, Mead, Meserve, Milice, Radcliff, Robinson, Sanford, and E. D. Sullivan—21

Title read and approved.

Mr. Valentine moved that Senate Bill No. 199 be immediately transmitted to the Senate.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Sanford: Assembly Bill No. 379—An Act to provide for the assessment and collection of an income tax.

Read first time, and referred to Committee on Judiciary.

By Mr. McDonald of Alameda: Assembly Bill No. 380—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 381—An Act regulating fraternal beneficiary corporations.

Read first time, and referred to Committee on Corporations.

By Mr. Boone: Assembly Bill No. 382—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 170 thereof, relating to the disqualification of Judges of the Superior Court of the State of California to sit or act on the trial or hearing of certain actions or proceedings.

Read first time, and referred to Committee on Judiciary.

By Mr. Mead: Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Section 87½, 148½, 149½, and 156½, respectively.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Jilson: Assembly Bill No. 384—An Act relating to "grub-stake contracts."

Read first time, and referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Radcliff: Assembly Bill No. 386—An Act to add a new section to the Civil Code of the State of California, to be known and designated as Section 2973, relating to the sale of personal property when the title thereof is reserved in the vendor until it is paid for.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 387—An Act to amend Section 359 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 388—An Act to amend Section 1036 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 389—An Act to amend Section 2955 of the Civil Code of the State of California, relating to mortgages of personal property.

Read first time, and referred to Committee on Judiciary.

By Mr. Eugene Sullivan: Assembly Bill No. 390—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants," approved March 23, 1893.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Brooke: Assembly Bill No. 391—An Act to amend Section 2756 of the Civil Code, relating to the measure of indemnity in a fire insurance policy.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 392—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Kenneally: Assembly Bill No. 393—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to labor on public works in this State.

Read first time, and referred to Committee on Judiciary.

By Mr. McKen: Assembly Bill No. 394—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Read first time, and referred to Committee on Ways and Means.

By Mr. Rickard: Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Read first time, and referred to Committee on Election Laws.

By Mr. Cobb: Assembly Bill No. 396—An Act providing for special funds for the payment of teachers' salaries in the school districts of this State, and defining the duties of School Trustees, Boards of Education, Auditors, and Treasurers in relation thereto.

Read first time, and referred to Committee on Education.

By Mr. Greenwell: Assembly Bill No. 397—An Act to amend an Act entitled "An Act to create and establish a commission for revising, systematizing, and reforming the laws of this State, and for the appointment of the members of said commission, to be known as 'The Commissioners for the Revision and Reform of the Law,' and to prescribe their powers and duties; and to authorize the appointment of a secretary and stenographer thereof; and to provide for the compensation and expenses of said commission, secretary, and stenographer, and to appropriate money therefor."

Read first time, and referred to Committee on Judiciary.

By Mr. Kelley: Assembly Bill No. 398—An Act to amend Section

688 of the Code of Civil Procedure of the State of California, relating to executions.

Read first time, and referred to Committee on Judiciary.

By Mr. Melick (by request): Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Sections 2 and 3 of Article VI of the Constitution of the State of California, relating to the judiciary department.

Read, and referred to Committee on Judiciary.

By Mr. Brooke: Assembly Constitutional Amendment No. 11—Proposing an amendment to Section 7 of Article IX of the Constitution of the State of California, relative to the compilation of school text-books and providing for their free distribution to the school children of the State.

Read, and referred to Committee on Judiciary.

By Mr. Chynoweth: Assembly Bill No. 399—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Section 10 thereof.

Read first time, and referred to Committee on Corporations.

By Mr. Mead: Assembly Concurrent Resolution No. 12—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such conventions.

Read first time, and referred to Committee on Judiciary.

By Mr. Mack:

ASSEMBLY JOINT RESOLUTION NO. 10.

WHEREAS, The Congress of the United States has heretofore appropriated money for and has caused a resurvey of that portion of the boundary line between the States of California and Nevada as lies between Lake Tahoe and the southeasterly corner of San Bernardino County, in the State of California, and

WHEREAS, Said resurvey has been made and temporary posts placed along the new boundary line thus resurveyed, clearly establishing and defining the true and correct line between the States, and

WHEREAS It is of great importance to this State, and especially to those counties of the State which border on said line and the State of Nevada, that the new line established shall be taken and forever established as the true boundary line between the said States; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested, to cause such legislation to be enacted as will authorize the proper authorities to set over and establish the granite posts now marking the old line to the temporary posts erected on the new line, and when said granite posts are thus erected the new line as thus established shall thereafter be recognized as the true boundary between the States of California and Nevada, or if the removal of said granite posts is impracticable, that the present temporary posts be recognized as marking the true boundary between the said States;

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of these resolutions

Read, and referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 4—Relative to an exempt firemen's relief fund in the several cities, counties, and towns of the State, relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

Also: Assembly Bill No. 42—Relating to yearly vacations for members of paid fire departments.

Also: Assembly Bill No. 53—Relating to the reorganization of municipal corporations, and for determining population thereof.

Also: Assembly Bill No. 243—Conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 17—Conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and levy a tax therefor—recommend that the author be allowed to withdraw the bill.

Also: Assembly Bill No. 45—Relating to the alteration of the boundaries of the incorporated towns or cities, by the annexation of uninhabited territory thereto, etc.—report the same back to the House without recommendation.

RAW, Chairman.

Assembly Bills Nos. 42, 4, 53, 243, 17, and 45 ordered on second-reading file.

Mr. Works spoke to a question of personal privilege, and offered his resignation as a member of Special Investigating Committee.

Resignation accepted.

APPOINTMENTS.

The Speaker announced the following appointments:

Mr. Knights, of Sacramento, is appointed a member of the Committee on Public Buildings and Grounds, to fill a vacancy on that committee.

Mr. La Barea is appointed on the Committee on State Hospitals and Asylums, which has been increased from nine to ten members.

Mr. Dibble is appointed on the Committee on Corporations, in place of Mr. La Barea, resigned.

RECESS.

At eleven o'clock and forty minutes A. M., on motion of Mr. Dibble, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker Wright in the chair.

The Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 21, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Feeney, Flint, Gillette, Hall, Hoey, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Melice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—75.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of yesterday.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, January 19, 1899, resulted in no election of a United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Morehouse—3.

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Maggard, Nutt, Smith, and Trout—6.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Hall, La Rue, Pace, Prisk, and Sims—10.

Whole number of votes cast by Senators.....	34
W. H. L. Barnes received.....	3 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr. received.....	6 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	10 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Eugene Sullivan, and Wright—15

For C. N. Felton—Mr. Brown—1

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.

For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, E. D. Sullivan, and White—17

For Marion De Vries—Mr. Brooke—1.

For John Rosenfeld—Mr. Crowley—1.

For Irving M. Scott—Mr. Dunlap—1.

Whole number of votes cast by Assemblymen	71
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	15 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	18 votes.
Stephen M. White received	17 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Irving M. Scott received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	105
Necessary to a choice	53
W. H. L. Barnes received	10 votes.
M. M. Estee	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	22 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	24 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Thomas R. Bard received	2 votes.
Stephen M. White received	27 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and forty-five minutes P. M., Senator Taylor moved that the Joint Assembly do now adjourn.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Monday, January 23, 1899.

IN ASSEMBLY.

REASSEMBLED.

The Assembly reconvened at twelve o'clock and fifty-five minutes P. M. Speaker pro tem. Anderson in the chair.

RESOLUTION.

By Committee on Contested Elections:

WHEREAS, In the matter of contest of Brophy vs O'Brien, in order that a just decision may be arrived at, your committee may find it necessary to send for persons and papers, and to count the ballots;

Resolved, That the Committee on Contested Elections be and are hereby authorized to send for persons and papers, including the ballots voted in the Thirty-first Assembly District.

WADE, Chairman pro tem.

Resolution adopted.

MOTIONS, ETC.

Mr. Johnson, speaking to a question of personal privilege, resigned as a member of the Special Investigating Committee.

Mr. Mead moved Mr. Johnson's resignation be accepted.

So ordered.

Mr. Valentine moved that Messrs. Cobb and Radcliff be added to the Investigating Committee.

Mr. Merrill moved to lay Mr. Valentine's motion on the table.

So ordered.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M., Mr. Dibble moved to adjourn until eleven o'clock and forty-five minutes A. M. of Monday, January 23, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 23, 1899. }

The Assembly met at eleven o'clock and forty-five minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hocy, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKee, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

APPROVAL OF JOURNAL.

The Journal of Friday, January 20, 1899, was read and approved.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 23, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 10—Relative to the construction and ownership of the Nicaragua Canal.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant.

Senate Joint Resolution No. 10 referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 8—Relative to the irrigation of arid lands.

F. J. BRANDON, Secretary of Senate.
By ERNEST W. MICHAELIS, Assistant.

Senate Joint Resolution No. 8 referred to Committee on Irrigation.

REPORT OF STANDING COMMITTEE.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1899.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, having had under consideration Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Also: Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Also: Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Report the same back, and recommend that they do pass.

ATHERTON, Chairman.

Assembly Bills Nos. 2, 127, and 128 ordered on second-reading file.

INTRODUCTION OF BILLS, ETC.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Works: Assembly Bill No. 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publishing of portraits and caricatures.

Read first time, and referred to Committee on Judiciary.

By Mr. Dunlap: Assembly Bill No. 401—An Act to provide for the operation of railroads, in certain cases.

Read first time, and referred to Committee on Corporations.

By Mr. La Barge: Assembly Bill No. 402—An Act to amend Section 2652 of the Political Code, relating to the collection and payment of road poll tax.

Read first time, and referred to Committee on Judiciary.

Pending the introduction of bills, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 23, 1899 }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Laird, Langford, La Rue, Leavitt, Luchsing, Maggard, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolf—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cospoer, Cowan, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—78.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, January 21, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, January 21, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4
For D. M. Burns—Senators Bettman, Burnett, Hoey, Leavitt, Shortridge, and Wolfe—6.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Maggard, Nutt, Smith, and Trout—6.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Prisk, and Sims—11.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	6 votes
U. S. Grant, Jr., received	6 votes.
Irving M. Scott received	1 vote
John Rosenfeld received	1 vote
Thomas R. Bard received	2 votes.
Stephen M. White received	11 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentzer—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—18
For C. N. Felton—Mr. Brown—1
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, De Lancey, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	78
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	19 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	113
Necessary to a choice.....	57
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	24 votes

C. N. Felton received	1 vote.
U. S. Grant, Jr., received	26 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Thomas R. Bard received	2 votes.
Stephen M. White received	30 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Senator Davis moved that the Joint Assembly do now adjourn.

Motion carried.

Whereupon the Speaker of the Assembly declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, January 24, 1899.

IN ASSEMBLY.

At twelve o'clock and twenty-five minutes P. M., Mr. Valentine moved that the Assembly take a recess until one o'clock and fifteen minutes P. M.
So ordered.

REASSEMBLED.

At one o'clock and thirty minutes P. M., the Assembly reconvened.
Speaker Wright in the chair.

LEAVE OF ABSENCE.

Mr. Merrill was granted leave of absence for one day, on motion of Mr. Merritt.

BILLS RE-REFERRED.

Mr. Johnson moved that Assembly Bills Nos. 254 and 255 be recalled from the Committee on Judiciary and re-referred to the Committee on Roads and Highways.
So ordered.

INTRODUCTION OF BILLS, ETC.—(RESUMED).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Wade: Assembly Bill No. 403—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 404—An Act to amend Section 180 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Lundquist: Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Conrey: Assembly Bill No. 406—An Act to amend Section 53 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 407—An Act making an appropriation to pay the claim of The Capital for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Miller of San Francisco: Assembly Bill No. 408—An Act to provide three additional Judges of the Superior Court of the City of San Francisco.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Miller of Los Angeles: Assembly Bill No. 409—An Act to amend Section 592 of the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 410—An Act to add a new section to the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Radcliff: Assembly Bill No. 412—An Act to amend Section 2022 of the Political Code.

Read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 413—An Act establishing a camp of instruction for the National Guard of the State of California, and to authorize the acquisition by donation of a site for the same.

Read first time, and referred to Committee on Military Affairs.

By Mr. Cobb (by request): Assembly Bill No. 414—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employes by the San Francisco Board of Health."

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Rickard: Assembly Bill No. 415—An Act making an appropriation to pay the claim of Julius Herzog, for injuries sustained while in the service of the National Guard of California.

Read first time, and referred to Committee on Claims.

By Mr. Caminetti: Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248 and 249, relating to the committees of the respective houses of Legislature, and to the duties of the Judiciary Committees thereof.

Read first time, and referred to Committee on Judiciary.

By Mr. Pierce: Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's, along the western shores of Lake Tahoe, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Melick: Assembly Bill No. 418—An Act providing for the study of a water supply and the location of reservoir sites to store flood waters of streams in this State, to locate dams in connection with such reservoirs, determine the storage capacity of the same and the cost of

construction of the dams, and appropriating money to carry out the provisions of this Act.

Read first time, and referred to Committee on Ways and Means.

By Mr. Boone: Assembly Bill No. 419—An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes, through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Johnson: Assembly Bill No. 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire escapes on school buildings.

Read first time, and referred to Committee on Judiciary.

By Mr. Boynton: Assembly Bill No. 421—An Act to pay the claim of A. G. Rafferty against the State of California for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Read first time, and referred to Committee on Claims.

By Mr. McDonald of Alameda: Assembly Bill No. 422—An Act to amend an Act entitled "An Act to form Agricultural Districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," and to repeal so much of an Act entitled "An Act to form Agricultural Districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved March 31, 1897, by amending Section 1 thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Cowan: Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally-enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provision of this Act," approved March 31, 1897.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Mead: Assembly Constitutional Amendment No. 13—Resolution to amend Section 12 of Article XIII of the Constitution.

Read, and referred to the Committee on Judiciary.

By Mr. Kelsey: Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional class rooms at the State Normal School in San José, and to provide for furnishing, equipment, and heating and ventilation apparatus thereof, and making appropriation for the same.

Read first time, and referred to Committee on Public Buildings and Grounds.

RESOLUTIONS.

By Mr. O'Brien:

ASSEMBLY JOINT RESOLUTION No. 12.

WHEREAS, An exposition of the products and industries of the United States, the Hawaiian and Philippine islands, and other countries, is proposed to be held at the City of San Francisco, State of California, beginning May 1, 1901, and continuing to the end of the year;

WHEREAS, Such exposition, though originally proposed to commemorate the fiftieth anniversary of the admission of California into the Union, will also commemorate the third anniversary of Admiral Dewey's victory in Manila Bay; the former, following the

discovery of gold, inaugurated a new epoch in history, the latter opened forever the gates of the commerce of the eastern world to the United States;

WHEREAS, Such an exposition will be national in character, gratifying alike the patriotic pride of the people and their desire to stimulate our foreign and domestic commerce;

WHEREAS, The course of events, guided by the valor of our soldiers and sailors, makes the time and place fixed for such exposition propitious, and our duty imperative to hold the commercial advantages sure to accrue to our country therefrom; therefore, be it

Resolved by the Assembly, the Senate concurring, That we respectfully urge the President and the Congress of the United States to make a Government exhibit at said exposition; that we further respectfully urge an appropriation by the United States in aid of such exposition, that our Senators be requested, and our Representatives in Congress be instructed, to use all honorable means to secure such Government exhibit and appropriation; that the Governor of California be requested to forward to the President of the United States, the Senate and House of Representatives, and our Senators and Members of Congress a certified copy of these resolutions.

Referred to Committee on Federal Relations.

By Mr. Caminetti:

ASSEMBLY JOINT RESOLUTION No. 13.

WHEREAS, From time immemorial valorous deeds of defenders of their country have been commemorated by grateful nations;

WHEREAS, The battle of Manila, decisive as it was glorious, crowning alike the American Navy and the hero under whose leadership it was fought and won with immortal renown, entitles Rear Admiral George Dewey to the homage of the Republic and the gratitude of every patriot; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California respectfully petitions the Congress of the United States to enact, and the President of the United States to approve, a law to revive the rank of Admiral in the United States Navy, and confer the same on Rear Admiral George Dewey, in honor of the distinguished services he has rendered to the Republic.

Referred to Committee on Federal Relations.

BILL RECALLED.

Mr. Works moved that Assembly Bill No. 218 be recalled from the Committee on Municipal Corporations and re-referred to Committee on Judiciary.

So ordered.

RESOLUTIONS

By Mr. Sanford:

WHEREAS, J B Sanford, one of the representatives of the minority on the Ways and Means Committee, is also one of the Special Investigating Committee, and has not the time to attend the meetings of said Ways and Means Committee; therefore, be it

Resolved, That Mr. Sanford be allowed to withdraw from the Ways and Means Committee, and that Mr. Caminetti be appointed to serve in his place.

Referred to Committee on Rules.

By Mr. Cospers:

Resolved, That the resolution offered by Mr. Cospers, January 19, 1899, relative to supplies for the Committee of Investigation, be amended by striking out the words "Secretary of State," and in lieu thereof insert the words "Sergeant-at-Arms."

Resolution adopted.

THIRD-READING FILE.

Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Read third time.

Mr. Valentine moved to refer Assembly Bill No. 62 to a select committee of one, to be appointed by the Speaker, to amend as follows:

AMENDMENT No. 1.

Amend the title so as to read as follows: "An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for preparing and printing literature for distribution at said exposition, and providing a commission, salaries, and expenses of commission and attachés."

AMENDMENT No. 2.

Amend by inserting after the title the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows:"

AMENDMENT No. 3.

Amend by striking out the word "fifty," in line 1 of Section 3, printed bill, and insert in lieu thereof the word "twenty."

AMENDMENT No. 4.

Amend Section 1 by striking out from line 6 the words "which commission shall be," and by striking out from lines 7 and 8 the words "taken from the two leading political parties of the State of California," and by substituting for the words so stricken out the words "no more than two members of which shall belong to the same political party."

Adopted.

The Speaker appointed Mr. Valentine as such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, January 23, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés—with instructions, do now report that the instructions of the Assembly have been carried out

VALENTINE, Select Committee

Report adopted.

Assembly Bill No. 62 ordered to reprint and recrossment.

CONSIDERATION OF BILLS—(RESUMED).

Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Passed on file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Read third time, further action deferred, to retain its place on file.

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Passed on file.

Assembly Bill No. 85—An Act to prevent the blacklisting of employés.

Passed on file.

Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

Passed on file.

At two o'clock and twenty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package, bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read third time, and passed, to retain its place on file.

Mr. Clough moved that the rules be suspended, and now take up second reading of file.

Motion lost.

COMMUNICATION.

IN RE MILTON J. GREEN, CONTEMPT PROCEEDINGS.

SACRAMENTO, January 23, 1899.

This is to certify that Milton J. Green has been continually under my professional care since January 20th, during which time he has had fever every day and has required sedatives to procure rest.

I further certify that, while free from fever and generally improved to-day, he is still confined to his bed and is not sufficiently improved to appear before the Assembly.

Respectfully,

F. W. HATCH, M. D.

Mr. Johnson moved that the matter be continued and made special order for Wednesday, January 25, 1899, at two o'clock and thirty minutes P. M.

So ordered.

CONSIDERATION OF BILLS—(RESUMED).

Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Passed on file.

Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issue of search warrants.

Passed on file.

Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Passed on file.

Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

Passed on file.

At two o'clock and fifty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 52—An Act to reduce the Judges of the Superior Court of San Bernardino County to one.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Cowan, Crowley, De Lancia, Devoto, Dible, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Ranb, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, F. D. Sullivan, Valentine, Wade, and Wardell—60.

NOES—Messrs. Barry, Beecher, Cargill, McDonald of Alameda, and Mr. Speaker—5.

Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Passed on file.

Assembly Bill No. 125—An Act to prevent deception in the sale of process or renovated butter.

Passed on file.

Assembly Bill No. 126—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Passed on file.

SECOND-READING FILE.

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessment in reclamation districts, and to provide for a hearing of the landowners before the Commissioner of Assessment, in relation to such assessment.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for non-user of corporate powers.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 42—An Act to amend an Act entitled "An Act authorizing boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations," approved March 26, 1895.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read second time, ordered to engrossment and third reading.

NOTICE OF RECONSIDERATION.

Mr. Belshaw gave notice that he would on to-morrow move to reconsider the vote whereby Assembly Bill No. 52 was this day passed.

CONSIDERATION OF BILL.

Mr. Anderson asked unanimous consent to call up for consideration Assembly Bill No. 75.

Granted.

Assembly Bill No. 75—An Act entitled “An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions.”

Mr. Anderson moved to refer Assembly Bill No. 75 to a select committee of one, to be appointed by the Speaker, to amend as follows:

Strike out all after the word “except,” in line 7 of Section 1, down to the end of the said section, and insert the following: “broken stone to be used exclusively upon county or State roads, other material to be used exclusively on county or State roads, jute bags, and articles consumed exclusively in the State institutions; *provided*, that nothing in this Act shall prevent the working of the inmates of any State institution upon county or State roads.”

Also: Amend the title as follows: Strike out the word “penal,” in the last line of title.

Mr. Knights moved to amend the amendment as follows:

By adding the words, after the words “State roads,” “and city streets, alleys, lanes, and courts.”

ADJOURNMENT.

At the hour of four o'clock and fifty minutes P. M., pending the consideration of the amendment to the amendment, on motion of Mr. Clough, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 24, 1899. }

The Assembly met at ten o'clock and five minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco,

Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING OF JOURNAL.

Pending the reading of the Journal, Mr. Wade moved that the further reading be dispensed with.

So ordered.

PETITION.

The Speaker announced the receipt of the following petition:

To the Honorable the Assembly of the Legislature of California:

The undersigned, a cooperative association incorporated under the Act of 1895, represents that it is an association of 250 members, embracing business men, mechanics, farmers, professional men, artisans, and wage-earners, all taxpayers and standing for good citizenship

It prays your honorable body to duly consider and pass the bill introduced by Hon. Morris Brooke, at our request, providing for permissive licensing of bicycles and tricycles, to create a fund to be used wholly for construction of paths along country roads for use of pedestrians and wheelmen, by and with the consent of Boards of Supervisors, who have power under the Act of 1897 to dedicate such paths.

And your petitioner, believing such Act to be for the benefit, moral and material, of the general public, will ever pray.

THE CAPITAL CITY WHEELMEN

Sacramento, Cal.

Passed in open regular meeting and ordered certified to the honorable the Assembly, this January 23, 1899.

[SEAL]

J. T. SHEEHAN, Secretary.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 83, 22, 23, 24, 25, 113, 125, and 126.

RICKARD, Chairman.

Assembly Bills Nos. 83, 22, 23, 24, 25, 113, 125, and 126 ordered on third-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Also: Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian

Also: Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State—report the same back, with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and

material furnished for improvements under said Act—report the same back, with three amendments, and recommend its passage as amended.

Also: Assembly Bill No. 137—An Act to prohibit the wearing of the insignia, badges, links, buttons, uniforms, or other emblems of secret societies, and the use thereof to obtain aid or assistance by persons not members thereof, and to punish for the violation of this Act—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies—report the same back, with three amendments, and recommend its passage as amended.

Also: Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—report the same back, with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial.

Also: Assembly Bill No. 163—An Act to amend Section 1033 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing and service and affidavit of bill of costs and motion to relax same.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce—report the same back, and recommend that it do not pass.

JOHNSON, Chairman.

Assembly Bill No. 137 withdrawn by its author, Mr. Johnson.

Assembly Bills Nos. 172, 68, 69, 44, 61, 261, 118, 265, 163, and 313 ordered on second-reading file.

ON DAIRIES AND DAIRY PRODUCTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Dairies and Dairy Products, to whom was referred Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended by your committee.

L. E. BARON, Chairman.

Assembly Bill No. 124 ordered on second-reading file.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of Leon E. Jones vs J. S. Wardell, for a seat in the Assembly from the Thirty-ninth Assembly District, in the City and County of San Francisco, beg leave to report that we have had the same under consideration, and after an examination of the testimony and counting the ballots, under authority of the Assembly, we find that the contestant, Leon E. Jones, received fourteen hundred and seventy-six legal votes, and that the contestee, J. S. Wardell, received fourteen hundred and eighty-two legal votes, being a plurality of six votes; and we therefore find, and so report to the Assembly, that the contestee, J. S. Wardell, is legally elected, and is entitled to retain his seat in the Assembly as a member thereof from the Thirty-ninth Assembly District, in the City and County of San Francisco, and we recommend the adoption of the following resolution, to wit:

Resolved, That J. S. Wardell is and he is hereby declared to be entitled to retain his seat, and to retain the office of Assemblyman from and in and for the Thirty-ninth Assembly District of the State of California.

WADE, Acting Chairman.
PIERCE.
DALE.
CROWLY.
HENRY.
COWAN.

Mr. Wade moved that the report of Committee on Contested Elections be made special order of the day for to-morrow, immediately after reading of the Journal.

So ordered.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 117 and 108.

RICKARD, Chairman.

Assembly Bills Nos. 117 and 108 ordered on third-reading file.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen.

Also: Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Also: Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ARNERICH, Chairman.

Assembly Bills Nos. 324, 320, and 88 ordered on second-reading file.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purpose.

Also: Assembly Bill No. 264—An Act making an appropriation to pay for the cleaning of the outer surface of the granite composing the lower story of the State Capitol at Sacramento, and requiring that such work be done under the direction of the Secretary of State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 105 re-referred to Committee on Judiciary.

Assembly Bills Nos. 264, 136, and 268 ordered on second-reading file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

Also: Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing certain conflicting Acts.

Also: Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647 of the Civil Code, and to repeal Sections 645 and 648½ of the Civil Code, relating to mutual building and loan associations

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ANDERSON, Chairman

Assembly Bills Nos. 104, 196, and 230 ordered on second-reading file.

MOTION TO RECONSIDER.

Mr. Belshaw moved to reconsider the vote by which Assembly Bill No. 52—An Act to reduce the Judges of the Superior Court of San Bernardino County to one—was passed on yesterday.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancie, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—59
NOES—None.

Assembly Bill No. 52 ordered to engrossment and third reading.

REPORT OF COMMITTEE ON JUDICIARY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 24, 1899

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego—report the same back, with a substitute, and recommend the adoption of the substitute and the passage of the bill as thus amended.

JOHNSON, Chairman.

Assembly Bill No. 30 ordered on second-reading file.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Kelley: Assembly Bill No. 425—An Act to prohibit the issuance or the use of trading stamps.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Wade: Assembly Bill No. 427—An Act to amend Section 142 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. La Barea: Assembly Bill No. 429—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting of street and public buildings in cities and towns in the State of California," approved March 26, 1895, and amended March 27, 1897.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Brown: Assembly Bill No. 430—An Act to provide for the establishment and maintenance of public libraries.

Read first time, and referred to Committee on Education.

By Mr. Raub: Assembly Bill No. 431—An Act to establish the fees of county, township, and other officers, and of jurors and witnesses, in this State.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Miller of San Francisco: Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 433—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 434—An Act providing for the filing and recording of maps and plots and the field notes thereof of lots, subdivisions, and blocks of real property and the surveys thereof in the County Recorder's office, and providing for the use of such for evidence.

Read first time, and referred to Committee on Judiciary.

By Mr. Valentine: Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State, at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Bliss (by request): Assembly Bill No. 436—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Read first time, and referred to Committee on Corporations.

By Mr. Knights: Assembly Bill No. 437—An Act to amend Section 1 of "An Act to authorize state agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have an interest, to prescribe a course of procedure therefor, to indemnify purchasers at such sale, and

to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

Read first time, and referred to Committee on Election Laws.

By Mr. Caminetti: Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

Read first time, and referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IX thereof, to be numbered with the next consecutive number of section to said article, relating to exempting from taxation all property of the California School of Mechanical Arts.

Read, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Anderson:

Resolved, That the State Printer is hereby directed to print five hundred copies of the Vallejo charter, heretofore passed by the Assembly, for general distribution

Lost.

By Mr. Caminetti:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to maintain elevator service from 8:30 o'clock A. M. up to 10:30 o'clock P. M. each day during the session, excepting on Sundays.

Resolution adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 52.

RICKARD, Chairman.

Assembly Bill No. 52 ordered on third-reading file.

At ten o'clock and fifteen minutes A. M., the Speaker called Mr. Belshaw to the chair.

UNFINISHED BUSINESS.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

The question being on the amendment to the amendment as offered by Mr. Knights.

Mr. Dibble moved the following as a substitute for the amendment and the amendment, to the amendment:

Strike out all after the word "except," in line 7, Section 1 of printed bill, down to the end of said section, and insert the following: "Broken stone for use on county roads, and jute bags; *provided*, that convicts may be employed in the manufacture of articles used in the prison in which they are serving."

Mr. Hanley moved the previous question.

The question being, "Shall the main question be now put?"

So ordered.

Mr. Brooke moved that the whole subject-matter be referred to a joint committee, to consist of the Committee on Labor and Capital and the Committee on State Prisons and Reformatory Institutions.

So ordered.

RE-REFERENCE OF BILL.

On motion of Mr. Sanford, Assembly Bill No. 88 was re-referred to the Committee on Counties and County Boundaries.

RECESS.

At eleven o'clock and thirty-five minutes A. M., on motion of Mr. Clough, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker Wright in the chair.

MINORITY REPORT OF COMMITTEE ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: The undersigned members of the minority of the Judiciary Committee, having had under consideration Assembly Bill No. 313, entitled "An Act to amend Section 61 of the Civil Code, relating to marriage and divorce," do now report and recommend: First—That the bill be amended by inserting the enacting clause therein, as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Second—That said bill, as so amended, do pass.

O'BRIEN.
BOONE.
JOHNSON.
CONREY.

RE-REFERENCE OF BILL.

Mr. Arnerich moved that Assembly Bill No. 13 be recalled from the Committee on Swamp and Overflowed Lands and re-referred to Committee on Ways and Means.

So ordered.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,)
Tuesday, January 24, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of

Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Boyce, Brauhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Work, and Mr. Speaker—77.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, January 23, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, January 23, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Burnett, Hoey, Laird, Shortridge, and Wolfe—5.
For U. S. Grant, Jr.—Senators Boyce, Jones, Nutt, Smith, and Trout—5.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators.....	34
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	5 votes.
U. S. Grant, Jr., received.....	5 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	12 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Courey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—17.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	76
W. H. L. Barnes received.....	7 votes
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	17 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	19 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	19 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	110
Necessary to a choice.....	56
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	22 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	24 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	31 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Senator Simpson moved that the Joint Assembly do now adjourn.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock m. of Wednesday, January 25, 1899.

IN ASSEMBLY.

At twelve o'clock and twenty-five minutes p. m., on motion of Mr. Brown, the Assembly took a recess until two o'clock p. m.

REASSEMBLED.

At two o'clock p. m., the Assembly reconvened.

Speaker Wright in the chair.

Mr. Dibble moved that the minority report of the Committee on Contested Elections, in re Jones vs. Wardell, be printed in the Journal.

So ordered.

MINORITY REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

MR. SPEAKER: The undersigned hereby presents the following report of the action of the Committee on Contested Elections *in re* Leon E. Jones, contestant, vs J. S. Wardell, contestee:

The original majority of Wardell appeared to be 13. On counting the ballots the committee were unanimously of the opinion that 12 votes for Jones and 4 votes for Wardell should not be counted because of identifying marks, such as a cross appearing after a line for other offices where no name was printed. The committee at first reserved its opinion on 134 votes, and found that Wardell had a majority of 6 votes with that reservation. Of these 134 votes, 88 for Wardell and 46 for Jones were marked by the stamp at least after two candidates for offices other than Assemblymen, and of these also 11 for Wardell and 3 for Jones had one of the said two marks erased—either by rubbing with the finger, or other soft substance—so that the ballots were identified by blurs. Of these, also, 1 for Wardell was marked sixteen times. Of these, also, 1 was marked twice “no” and once “yes” for Amendment No. 7; thus making at least 10 more votes for Wardell than for Jones, which were identified ballots. By the decisions of the Supreme Court of four States having statutes with provisions such as those of our Codes, relative to their invalidity because of identification, such ballots are held illegal. [See Michigan—*Illis vs Glaser*, 61 N. W. Rep. 648; New York—*People vs. Feeney*, 156 N. Y. 36; Indiana—*Zeis vs Lasswater*, 142 Ind. 375; Indiana—*Sego vs Stoddard*, 136 Ind. 297, Nevada—*Sweeney vs. Hjul*, 48 Pac Rep. 1036.] Consequently, by the provisions of Section 1215 of the Political Code, 13 more of the votes for Wardell and 3 more of the votes for Jones, held in abeyance as aforesaid, should have been declared illegal because of identification as aforesaid, thus leaving Jones with a majority of 4.

The minority of the committee signing this report was obliged to be absent from the deliberations of the committee because of other pressing duties, but was present at the final argument, and understands the matters above recited relative to the ballots to be undisputed. Consequently a minority of said committee report in favor of the following resolution:

WHEREAS, Leon E. Jones has received four more legal votes than Justus S. Wardell, and is the elector who has received the highest number of legal votes for the office of Assemblyman of the Thirty-ninth Assembly District, at the election held therein on November 8, 1898; be it

Resolved, That Leon E. Jones be and he is hereby declared the duly elected Assemblyman, to represent the Thirty-ninth Assembly District in this session of the Legislature, and that he be requested to forthwith present himself to take his oath of office as such Assemblyman.

E. T. COSPER,
Minority of Committee on Contested Elections.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Also: Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

F. J. BRANDON, Secretary.
By F. L. THOMAS, Assistant.

Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read first time, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Read first time, and referred to Committee on Dairies and Dairy Products.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1899

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 345—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employes of the Legislature

F. J. BRANDON, Secretary.
By F. L. THOMAS, Assistant.

Senate Bill No. 345—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employes of the Legislature.

Read first time.

RESOLUTION—CASE OF URGENCY.

By Mr. Valentine:

Resolved, That Senate Bill No. 345 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Upon the resolution suspending the requirements of the Constitution, the roll was called, and the same adopted by the following vote:

AYES—Messrs Anderson, Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, De Lancey, Devoto, Dibble, Dunlap, Greenwell, Hanley, Henry, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, J. D. Sullivan, Valentine, Works, and Mr. Speaker—55.

NOES—Messrs. Belshaw, Brown, Crowder, Feliz, Glenn, Hoey, Mack, Mead, Meserve, Milice, Radcliff, Stewart, Wardell, and White—14.

Senate Bill No. 345—An Act to amend Section 245, 246, and 268 of the Political Code, relating to the officers and employes of the Legislature.

Read second time.

Mr. Belshaw moved to amend as follows:

Amend Section 1 by striking out in line 32 the words "three fifths," and inserting in lieu thereof the words "two thirds."

Also: Amend Section 2 by striking out in line 31 the words "three fifths," and inserting in lieu thereof the words "two thirds."

Amendments lost.

Assembly Bill No. 345—An Act to amend Sections 245, 246, and 268 of the Political Code, relating to the officers and employes of the Legislature.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brown, Cargill, Clark, Clough, Cobb, Crowder, Devoto, Dunlap, Greenwell, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, and Works—45.

NOES—Messrs. Belshaw, Boone, Brooke, Burnett, Caminetti, Conrey, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, Radcliff, Sanford, Stewart, E. D. Sullivan, White, and Mr. Speaker—22.

Title read and approved.

Mr. Valentine moved that Senate Bill 345 be immediately transmitted to the Senate.

So ordered.

EXPLANATION OF VOTE.

By Mr. Dibble:

In explanation of my vote on the final passage of Senate Bill No. 345, I desire to state that I consider the bill violative of that provision of the Constitution which reserves to each house of the Legislature the right to choose such officers as may be necessary for the conduct of legislative business. I consider such a law violative of the fundamental principles of representative government, particularly in that it tends to destroy the independence of the separate departments of government.

RESOLUTIONS.

By Mr. Muentner:

Resolved, That the Committees on Labor and Capital and State Prisons and Reformatory Institutions be and they are hereby authorized to visit the State Prison at Folsom for the purpose of securing information concerning the operation of the rock-crusher at such institution, which information is required by said committee in preparing a report on Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone, and materials for country roads only, and articles consumed in the State penal institutions, and to generally examine into the affairs of the prison."

Adopted.

By Mr. Devoto:

Resolved, That when the Assembly adjourn to-day, it do so out of respect to the memory of ex-Governor Romualdo Pacheco.

Resolution adopted.

ADJOURNMENT.

At three o'clock P. M., Mr. Conrey moved to adjourn.

Motion carried.

Whereupon the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, January 25, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Wednesday, January 25, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Keneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKee, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

The Journals of Saturday, January 21, 1899, and Monday, January 23, 1899, were read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 84, 85, 139, 145, 4, 45, 42, 243, and 62.

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Assembly Bill No. 85—An Act to prevent the blacklisting of employes.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessment in reclamation districts, and to provide for a hearing of the landowners before the Commissioner of Assessment, in relation to such assessment.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Assembly Bill No. 42—An Act to amend an Act entitled "An Act authorizing boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations," approved March 26, 1895.

Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products

of the State of California at the Paris Exposition in 1900; also for providing a commission, salaries, and traveling expenses of commission and attachés.

RICKARD, Chairman.

Assembly Bills Nos. 84, 85, 139, 145, 4, 45, 42, 243, and 62 ordered on third-reading file.

SPECIAL ORDER—IN RE JONES VS. WARDELL CONTEST.

MAJORITY REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1899.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of Leon E. Jones vs. J. S. Wardell, for a seat in the Assembly from the Thirty-ninth Assembly District, in the City and County of San Francisco, beg leave to report that we have had the same under consideration, and after an examination of the testimony and counting the ballots, under authority of the Assembly, we find that the contestant, Leon E. Jones, received fourteen hundred and seventy-six legal votes, and that the contestee, J. S. Wardell, received fourteen hundred and eighty-two legal votes, being a plurality of six votes, and we therefore find, and so report to the Assembly, that the contestee, J. S. Wardell, is legally elected, and is entitled to retain his seat in the Assembly as a member thereof from the Thirty-ninth Assembly District, in the City and County of San Francisco, and we recommend the adoption of the following resolution, to wit:

Resolved, That J. S. Wardell is and he is hereby declared to be entitled to retain his seat, and to retain the office of Assemblyman from and in and for the Thirty-ninth Assembly District of the State of California.

WADE, Acting Chairman.
PIERCE.
DALE
CROWLY.
HENRY.
COWAN.

MINORITY REPORT OF COMMITTEE ON CONTESTED ELECTIONS.

MR. SPEAKER: The undersigned hereby presents the following report of the action of the Committee on Contested Elections *in re* Leon E. Jones, contestant, vs. J. S. Wardell, contestee:

The original majority of Wardell appeared to be 13. On counting the ballots the committee were unanimously of the opinion that 12 votes for Jones and 4 votes for Wardell should not be counted because of identifying marks, such as a cross appearing after a line for other offices where no name was printed. The committee at first reserved its opinion on 134 votes, and found that Wardell had a majority of 6 votes with that reservation. Of these 134 votes, 88 for Wardell and 46 for Jones were marked by the stamp at least after two candidates for offices other than Assemblymen, and of these also 11 for Wardell and 3 for Jones had one of the said two marks erased—either by rubbing with the finger, or other soft substance—so that the ballots were identified by blurs. Of these, also, 1 for Wardell was marked sixteen times. Of these, also, 1 was marked twice “no” and once “yes” for Amendment No. 7; thus making at least 10 more votes for Wardell than for Jones, which were identified ballots. By the decisions of the Supreme Court of four States having statutes with provisions such as those of our Codes, relative to their invalidity because of identification, such ballots are held illegal. [See Michigan—Ellis vs. Glaser, 61 N. W. Rep. 648; New York—People vs. Feeney, 156 N. Y. 36; Indiana—Zeis vs. Passwater, 142 Ind. 375; Indiana—Sego vs. Stoddart, 136 Ind. 297; Nevada—Sweeney vs. Hjul, 48 Pac. Rep. 1036.] Consequently, by the provisions of Section 1215 of the Political Code, 13 more of the votes for Wardell and 3 more of the votes for Jones, held in abeyance as aforesaid, should have been declared illegal because of identification as aforesaid, thus leaving Jones with a majority of 4.

The minority of the committee signing this report was obliged to be absent from the deliberations of the committee because of other pressing duties, but was present at the final argument, and understands the matters above recited relative to the ballots to be undisputed. Consequently a minority of said committee report in favor of the following resolution:

WHEREAS, Leon E. Jones has received 4 more legal votes than Justus S. Wardell, and is the elector who has received the highest number of legal votes for the office of Assemblyman of the Thirty-ninth Assembly District, at the election held therein on November 8, 1898; be it

Resolved, That Leon E. Jones be and he is hereby declared the duly elected Assemblyman, to represent the Thirty-ninth Assembly District in this session of the Legislature, and that he be requested to forthwith present himself to take his oath of office as such Assemblyman.

E. T. COSPER.

Mr. Cosper moved that the majority and minority report be referred to Committee on Judiciary.

Mr. Wade moved to amend by substituting "that the report of the majority be adopted."

Mr. Dibble raised the following point of order: "That the main motion cannot amend a subsidiary motion."

The Speaker ruled the point of order well taken.

At ten o'clock and fifty-five minutes A. M., the Speaker called Mr. Valentine to the chair:

The question being on the motion to refer to the Committee on Judiciary.

The roll call was demanded by Messrs. Dibble, Works, and Cowan.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arnerich, Cobb, Cosper, Dibble, and McKeen—5.

NOES—Messrs. Anderson, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Conrey, Cowan, Crowder, Crowley, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Jilson, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—61

Mr. Wade moved that the majority report be adopted.

Motion carried, and so declared.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

RICKARD, Chairman

Assembly Bill No. 53 ordered on third-reading file.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money, and secure the payment of the same.

Also: Assembly Bill No. 153—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

Also: Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BOYNTON, Chairman.

Assembly Bills Nos. 174, 33, 158, and 229 ordered on second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Constitutional Amendment No. 6—Proposed amendment to Article XIII, relative to exempting from taxation churches and chapels—report the same back, with an amendment, and recommend its passage as amended.

JOHNSON, Chairman.

Mr. Johnson moved that Assembly Constitutional Amendment No. 6 be made special order for Friday, January 27, 1899, immediately after reading of the Journal.

So ordered.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 93—Relating to license and sale or prohibition of intoxicating liquors—report back to the House with recommendation that same be referred to Committee on Public Morals.

Also: Assembly Bill No. 283—Relating to license and sale, or prohibition of intoxicating liquors—reports same back to the House with recommendation that same be referred to Committee on Public Morals.

Also: Assembly Bill No. 43—Relating to limiting the hours of daily services of laborers and mechanics employed upon public works—report the same back to the House with recommendation that same be re-referred to Committee on Capital and Labor.

Also: Assembly Bill No. 5—Relating to effectual prevention of cruelty to animals—report the same back, and recommend that it be referred to Judiciary Committee.

Also: Assembly Bill No. 213—Relating to fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns—report the same back, and recommend that same be referred to Committee on Judiciary.

Also: Assembly Bill No. 273—Relating to providing a system of street improvement bonds to represent certain assessments for cost of street work and improvement within municipalities—report the same back, and recommend that it do pass.

RAW, Chairman

On motion of Mr. Johnson, Assembly Bills Nos. 93 and 283 were referred to Committee on Public Morals, Assembly Bill No. 43 was referred to Committee on Labor and Capital, and Assembly Bills Nos. 5 and 213 were referred to Committee on Judiciary.

Assembly Bill No. 273 ordered on second-reading file.

ON DAIRIES AND DAIRY PRODUCTS

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Dairies and Dairy Products, to whom was referred Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands—have had the same under consideration, and wish to report the same back, and recommend that it do pass; and your committee recommends that it be substituted for Assembly Bill No. 126 on the general file, and that the author of said Assembly Bill No. 126 be allowed to withdraw the same.

LE BARON, Chairman.

Assembly Bill No. 126 withdrawn by author, and Senate Bill No. 76 substituted in lieu thereof on the file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 293—An Act providing for the furnishing, by the Clerk of the Supreme Court, of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Also: Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time and manner of payment of, and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and the stenographer of the Clerk of the Supreme Court."

Also: Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court."

Also: Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries to collect and import into this State parasites and predaceous insects.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VALENTINE, Chairman.

Assembly Bills Nos. 293, 287, 288, and 160 ordered on second-reading file.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Miller of Los Angeles: Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations when found necessary, without offering the same for sale, excepting from the operation of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Read first time, and referred to Committee on Judiciary.

By Mr. Mead: Assembly Bill No. 441—An Act to amend Section Seven (7) of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 442—An Act to regulate the licensing of fire insurance agents by municipalities in this State, and prescribing penalties for the violation of the license ordinances of such municipalities.

Read first time, and referred to Committee on Corporations.

By Mr. Hoey: Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Read first time, and referred to Committee on Ways and Means.

By Mr. White: Assembly Bill No. 444—An Act to amend Section 1444 of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 446—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Stewart: Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 448—An Act to prohibit the

selling of pools and book-making on any trial or contest of skill, speed, or power of endurance of horses, except within the race track, inclosure, or fair grounds wherein such trial or contest shall be had and occur, and to provide a punishment therefor.

Read first time, and referred to Committee on Public Morals.

By Mr. Eugene Sullivan: Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen of such veteran volunteer firemen.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Belshaw: Assembly Bill No. 450—An Act to promote the purity of primary elections and to punish offenses thereat.

Read first time, and referred to Committee on Election Laws.

Also (by request): Assembly Bill No. 451—An Act providing for the organization and reorganization of political parties and committees in certain cases of disorganization.

Read first time, and referred to Committee on Election Laws.

By Mr. Boynton: Assembly Bill No. 452—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved March 31, 1897, by amending Section 1 thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Fairweather: Assembly Bill No. 453—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rates of interest.

Read first time, and referred to Committee on Judiciary.

By Mr. Rickard: Assembly Bill No. 454—An Act to amend Section 3196 of the Political Code, relating to the definition of trademarks.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Brown: Assembly Bill No. 456—An Act to amend Section 1579 of the Political Code of the State of California, relating to school districts.

Read first time, and referred to Committee on Education.

RECESS.

At eleven o'clock and thirty minutes A. M., on motion of Mr. Belshaw, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

The Assembly reconvened at eleven o'clock and fifty-five minutes A. M. Speaker Wright in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 25, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll of the Senate was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Frisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—39.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—76.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, January 24, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, January 24, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators.....	38
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	12 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Felix, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	78
W. H. L. Barnes received.....	7 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	18 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	19 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	115
Necessary to a choice.....	58
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.

D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Irving M. Scott received	2 votes.
Thomas R. Bard received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	31 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., Mr. Belshaw moved that the Joint Assembly do now adjourn.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, January 26, 1899.

IN ASSEMBLY.

REASSEMBLED.

The Assembly reconvened at twelve o'clock and twenty-five minutes P. M.

Speaker Wright in the chair.

RECESS.

On motion of Mr. Johnson, the Assembly took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M., the Assembly reconvened.

Speaker Wright in the chair.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School building at San José, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CROWDER, Chairman.

Assembly Bill No. 31 ordered on second-reading file.

RESOLUTION.

By Mr. Dibble:

Resolved, That the Chief Clerk of the Assembly be directed to make requisitions on the State Janitor for such stationery and materials as may be necessary for the use of the several stenographers of the Assembly.

Adopted.

At two o'clock and ten minutes P. M., the Speaker called Mr. Belshaw to the chair.

SPECIAL FILE.

Assembly Bills Nos. 264 and 136 were passed temporarily on file.

THIRD-READING FILE.

Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Passed on file, to retain place.

Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Works, and Mr. Speaker—53.

NOES—None

Title read and approved.

Assembly Bill No. 75—An Act entitled “An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions.”

Passed on file.

SPECIAL ORDER.

In re Milton J. Green contempt proceedings.

COMMUNICATION.

The Speaker announced the receipt of the following communication and certificate:

SACRAMENTO, CAL., January 25, 1899.

This is to certify that Milton J. Green is still under my professional care, and that, by reason of his sickness, he is unable to appear before the Assembly to-day.

I further certify that, while still confined to bed, he is improving, and that if not subjected to any undue excitement or exposure he will probably be on his feet again at a reasonably early date. In his present condition I could not consent to his leaving his bed.

F. W. HATCH, M.D.

Mr. Johnson moved that the matter be continued, and set for hearing on January 27, 1899, at two o'clock and thirty minutes P. M.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Read third time.

Mr. Lardner moved to refer Assembly Bill No. 83 to a select committee of one, with instructions to amend as follows:

Amend by striking out the last part of Section 1, including the words “any contract for a greater number of hours’ labor in one day shall be void, without regard to the terms of employment, whether the same be by the hour, day, week, or month, or any other period of time.”

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill lost by the following vote:

AYES—Messrs. Arnerich, Boone, Boynton, Burnett, Clark, Crowder, De Lancie, Devoto, Dibble, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Kelsey, Mack, Marvin, Mead, Merritt, Miller of San Francisco, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Works—27.

NOES—Messrs. Belshaw, Blood, Brooke, Brown, Cargill, Clough, Cobb, Conrey, Cosper, Glenn, Jilson, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, Melick, Merrill, Meserve, Miller of Los Angeles, Radcliff, Raub, Raw, Robinson, Sanford, and Valentine—30.

NOTICE OF RECONSIDERATION.

Mr. Sanford gave notice that he would on to-morrow move to reconsider the vote whereby Assembly Bill No. 83 was this day refused final passage.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Passed on file.

Assembly Bill No. 85—An Act to prevent the blacklisting of employés.

Passed on file.

Mr. Dibble moved that the rules be suspended, and that the Assembly do now take up and consider second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Read second time.

Mr. Johnson moved the following substitute, as an amendment to the original bill:

Assembly Bill No. 132—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding two new sections thereto, to be respectively numbered and known as 730 and 730½.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section, to be numbered and known as Section 730, is hereby added to the Code of Civil Procedure of the State of California, as follows:

Section 730. Whenever a mortgage on real property is foreclosed and the property covered by such mortgage is sold under and pursuant to the decree of foreclosure entered in the action in which such foreclosure is had, it shall be the duty of the Sheriff, or of the Commissioner making the sale, within five days after the purchaser of the sale becomes entitled to a deed from such Sheriff or Commissioner, thereunder, to enter upon the margin of the county records where such mortgage is recorded, if the same be recorded, a satisfaction of the same.

SEC. 2. A new section, to be numbered and known as Section 730½, is hereby added to the Code of Civil Procedure of the State of California as follows:

Section 730½. Such satisfaction shall be substantially in the following form:

Full satisfaction and discharge of the within mortgage by foreclosure is hereby entered this ____ day of ____ 18—. Decree of foreclosure entered the ____ day of ____, 18—, in cause No. — entitled ____ vs. _____. Sale under such decree had the ____ day of ____, 18—.

Sheriff (Commissioner).

SEC. 3. This Act shall take effect and be in force from and after its passage.

Amendment adopted.

Assembly Bill No. 132 ordered to print, engrossment, and third reading.

PETITION—(OUT OF ORDER).

By Mr. Muentzer:

To the Senate and Assembly of the Legislature of California:

We, the undersigned, residents of Lockeford and vicinity, ask your honorable body to enact a Sabbath law that will prohibit all unnecessary secular labor and business and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

I. M. HILL.

And 207 others.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Read second time.

Mr. Johnson moved that the House go into Committee of the Whole, Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No. 2.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 2 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor—and do now report, and recommend that the same do pass.

BELSHAW, Chairman.

Report adopted.

Assembly Bill No. 2 ordered to engrossment and third reading.

Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for non-user of corporate powers.

Passed on file.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on Ways and Means, to retain place on file.

Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Referred to Committee on Ways and Means, to retain place on file.

Assembly Bill No. 172—An act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges, and officers connected with the Supreme Court.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

Passed on file.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Read second time.

Mr. Valentine moved to amend as follows:

AMENDMENT No. 1.

After the word "persons" in line 13, page 2, printed bill, insert the words "companies or corporations"

Adopted.

AMENDMENT No. 2.

After the word "corporation" at the end of line 15, page 2, printed bill, insert the words "to whom said contract was awarded."

Adopted.

AMENDMENT No. 3.

In line 22, page 2, printed copy of bill, strike out the words "any person."

Adopted.

Assembly Bill No. 61 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 66—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California," approved March 26, 1895—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to Committee on Municipal Corporations.

CROWDER, Chairman.

Assembly Bill No. 66 re-referred to Committee on Municipal Corporations.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read second time.

Mr. Dibble moved to amend as follows.

AMENDMENT No. 1.

Strike out the words "the Military Order of the Loyal Legion of the United States or the order of the Grand Army of the Republic or of" where they occur in lines 6, 7, and 8 of the printed bill.

Adopted.

AMENDMENT No. 2.

After the word "any" in line 8, page 1 of the printed bill, insert the word "secret."
Adopted.

AMENDMENT No. 3.

Strike out the words "of five years' standing in the State of California" where they occur in lines 8 and 9, page 1, of the printed bill.

Adopted.

Assembly Bill No. 261 ordered to print, engrossment, and third reading.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Read second time.

Mr. Johnson moved to amend as follows:

Amend Assembly Bill No. 118 by adding after the words "each year," line 20, Section 2, of the printed bill, the words, "during the first year of its existence said board shall hold meetings and conduct examinations in the following named cities, viz.: Eureka, Redding, Fresno, Bakersfield, San Diego, and San José."

Adopted.

Assembly Bill No. 118 ordered to print, engrossment, and third reading.

Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial.

Read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 163—An Act to amend Section 1033 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing and service and affidavit of bill of costs and motion to retax same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 313—An Act to amend Section 61 of the Political Code, relating to marriage and divorce.

Passed on file.

Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products, as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Referred to Committee on Ways and Means, and to retain place on file.

Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay

the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to municipal building and loan associations.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605, of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Read second time.

Mr. Johnson moved the following substitute as an amendment.

SUBSTITUTE FOR ASSEMBLY BILL NO 30.

An Act to amend Sections 2579, 2588, 2589, 2590, 2591, and 2605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2579 of the above entitled Act is hereby amended to read as follows:

Section 2579. The commissioners shall have possession and control of the entire bay of San Diego, together with the improvements, rights, privileges, easements, and appurtenances connected therewith, or in anywise appertaining thereto, for the purposes in

this article provided. And said commissioners, in addition to a general control over said premises, shall have authority to use, for loading and landing merchandise, with a right to collect dockage, wharfage, and tolls thereon, such portions of the streets of the City of San Diego, or any city or town ending or fronting upon the waters of the bay of San Diego, as may be used for such purposes without obstructing the same as thoroughfares, and authority to rent an office in any portion of the City of San Diego, and purchase from time to time suitable books for the records of the secretary and accounts of the wharfingers, together with such stationery as may be required by the board, and to fix and regulate from time to time the rates of dockage, wharfage, cranage, tolls and rents, and collect such an amount of revenue therefrom as will enable the commissioners to perform the duties required of them by authority of this article. And the commissioners may so modify and establish such rates of dockage and wharfage, collecting, as near as possible, equal amounts from dockage and wharfage. When such modification has been made, the collection of tolls must be abolished, and the toll collectors discharged. The commissioners shall construct such number of wharves as the wants of commerce shall require, and shall locate such wharves at such points and upon such lines as the board may deem most suitable for the best interest of commerce, and shall repair and maintain all the wharves, piers, quays, landings, and thoroughfares the wants of commerce may require, and generally to erect all such improvements as may be necessary for the safe landing, loading, and unloading, and protection of all classes of merchandise, and for the safety and convenience of passengers passing into and out of the City of San Diego, or any city or town on the bay of San Diego, by water. But no wharf shall be constructed upon such place or line as will cause any slip or dock to be less than one hundred and thirty-six feet wide at the most narrow point between the wharves. When they determine that a new wharf shall be erected, or any other necessary improvements constructed, or repairs made, or dredging machines, scows, steam tugs, and any necessary machinery, the cost of which shall exceed \$3,000, they shall advertise for sealed proposals for a period of not less than ten days in one or more of the daily newspapers in the City of San Diego. Every proposal shall be accompanied by a certified check for an amount equal to five per cent of the amount of such proposal, such check to be made payable to the order of the secretary of said board, conditioned if the proposal is accepted and the contract awarded, and if the bidder shall fail or neglect to execute the contract and give the bond required within six days after the award is made, in that case said sum mentioned in said check shall be paid into the State treasury by said secretary as liquidated damages for such failure and neglect, as a portion of San Diego Harbor Improvement Fund. Such advertisement shall contain a general description of the work to be done, the materials to be used, the place where to be used, and must refer to specifications, which must contain a full and accurate description of the work to be performed, the material to be used, which specifications shall be kept in the office of the secretary of the board in such manner that all persons may inspect the same during the usual business hours of all days except Sundays and holidays. On a day named in the advertisement, the commissioners shall open the bids in the presence of such bidders as are present, and award the contract to the lowest bidder, who shall furnish sufficient sureties to guarantee the performance of the work. If, in the opinion of the commissioners, the bids are too high, they may reject them, and advertise anew in like manner as before. If, in the opinion of the commissioners, the second bids are too high, they may reject them likewise, and enter into contract with responsible parties without giving further notice. Or if, in the opinion of the commissioners, any such work may be more economically performed by themselves, they may do so. Any contract entered into without giving further notice and receiving bids must be at least ten per cent lower than the lowest rejected bid. The board may construct such harbor, embankment, or seawall as shall be necessary to protect the harbor of San Diego, and dredge such number of slips and docks as the commerce of the port of San Diego may require, to a depth that will admit of the easy and free ingress and egress of all classes of watercraft that load and discharge cargoes at the wharves, piers, quays, landings, and thoroughfares in the harbor of San Diego, to perform which dredging said Board of State Harbor Commissioners for the Bay of San Diego are hereby authorized and empowered to hire, employ, purchase, or construct dredging machines, scows, steam tugs, and the necessary machinery, and employ men for operating the same. When any portion of the premises described in this article shall be dredged, the sand, mud, or other substances shall be deposited in a place designated by the board. All classes of watercraft that use or make fast to any wharf, pier, quay, landing, or thoroughfare, and lands upon or loads therefrom any goods, wares, or merchandise, shall be liable, and must pay to the commissioners such rates of dockage as shall be fixed by authority of this article; and all such watercraft as shall discharge or receive any goods, wares, or merchandise while moored in any slip, dock, or basin within the jurisdiction of the commissioners, shall pay one half the regular rates of dockage. Any watercraft that shall leave any wharf, pier, quay, landing, thoroughfare, slip, dock, or basin, unless forced to do so by stress of weather, without first paying regular rates of dockage due from such vessel, shall be liable to pay a fine not to exceed \$500. The charge for wharfage and tolls shall be a lien upon all goods, wares, and merchandise landed upon any of the wharves, piers, quays, landings, or thoroughfares upon the premises described in this article, and the commissioners, their agents, or lessees, may hold possession of any such goods, wares, or merchandise so landed as aforesaid, to secure the payment of such wharfage and tolls, and for the purpose of such lien are deemed to have possession of such goods, wares, and merchandise so landed, until such charges of wharfage and toll are paid. The commis-

sioners shall have power to make reasonable rules and regulations concerning the control and management of the property of the State which is intrusted to them by virtue of this article; and said commissioners are hereby authorized and required to make, without delay, and from time to time, and publish not less than thirty days in a daily newspaper of general circulation published in the City of San Diego, all needful rules and regulations, not inconsistent with the laws of the State or of the United States, in relation to the moving and anchorage of vessels in said harbor, providing and maintaining free, open, and unobstructed passageways for steam ferry-boats and other steamers navigating the waters of the bay of San Diego, so that such steamers can conveniently make their trips without impediment from vessels at anchor, or other obstacles. And said commissioners may also make all needful rules and regulations governing the removal of such vessels from the wharves and other landings, and from slips and docks as are not engaged in receiving or discharging cargo, prescribing the time during which goods, wares, and merchandise landed upon any wharf, pier, quay, landing, or thoroughfare shall be permitted to remain thereon, and may divide the same into several classes, and may, by such rules and regulations, provide that in case any such goods, wares, or merchandise remain upon any wharf, pier, quay, landing, or thoroughfare, beyond the time so prescribed, the respective wharfinger may, under the order of the commissioners, remove and deposit the same in a suitable place, at the charge, risk, and expense of the owner thereof. When any goods, wares, or merchandise shall have remained upon any wharf, pier, quay, landing, or thoroughfare more than twenty-four hours, the commissioners may, in their discretion, charge such additional rates for each subsequent day as in their opinion is just and equitable. The commissioners may, in their discretion, set apart and assign for the exclusive use of the watercraft used by the officers of the federal government such convenient and safe landings as such officers may require together with suitable premises near such buildings as may be set apart and assigned for their use, upon which premises such officers may cause to be erected offices and storehouses to suit their convenience, and the commissioners shall charge a reasonable compensation per month for the use of such landings, and office and storehouse premises; set apart and assign a suitable and proper locality for the use of the harbor police of the City of San Diego, and also a suitable place for a boathouse station for the exclusive use of the quarantine and health officers of said city, without compensation; set apart and assign for the exclusive use of steam ferry-boats suitable ships, in which such structures may be erected as will secure the safe and convenient landing of passengers, and safe landing and delivery of freight; set apart and assign suitable wharves, berths, or landings for the exclusive use of vessels; to construct suitable sheds, gates, and other temporary structures as may be necessary for the safe and convenient landing of passengers, and safe landing and delivery of freight; and set apart and assign for the sole and exclusive use of the fishermen of the City of San Diego, such place or places as the said commissioners shall deem proper and sufficient, and for no other purpose. The commissioners may assign suitable places for the landing of horses, cattle, sheep, and swine, and when such places have been assigned, it shall be a misdemeanor for a commander of any watercraft to land any greater number than ten at one time from any watercraft at any other place. The commissioners may set apart for the uses and purposes of dry-docks and marine railways such portions of the waterfront as the wants of commerce may require, and lease the same for a period not to exceed fifty years. When the commissioners lease premises for marine railways, and drydock purposes, as provided in this section, they shall advertise for sealed proposals, for a period of not less than ten nor more than twenty days, in one of the daily newspapers of the largest circulation, printed in the City of San Diego, which advertisement shall contain a description of the premises to be leased. On the day named in the advertisement the commissioners shall open the bids in the presence of such of the bidders as are present, and award the premises to the highest responsible bidder that shall furnish sufficient sureties to guarantee the payment of the rent, and may negotiate for and accept, and cancel, any lease of any portion of the premises described in this article, and pay a reasonable compensation for any structures upon any such leased premises as in the opinion of the board and engineer may be useful for such commercial purposes as this article is intended to promote. No person or company shall, without the consent of the Board of State Harbor Commissioners, land or remove any goods, wares or merchandise, or other thing, upon or from any wharf, pier, quay, landing, or thoroughfare situate upon the premises described in this article, unless authorized to do so by virtue of valid lease; nor shall any person collect dockage, wharfage, crantage, rent or toll, within the boundaries of the premises described in this article, except by virtue of valid leases, without first obtaining permission to do so from said commissioners; nor shall any person or company place or cause to be placed any obstruction in the bay of San Diego, nor upon any wharf, pier, quay, landing, or thoroughfare, without the consent of the Board. Whenever any wharf, pier, quay, landing, or thoroughfare in the harbor of San Diego shall be incumbered, or their free use interfered with, by goods, wares, merchandise, or other substance, whether loose or built upon or fixed to any such wharf, pier, quay, landing, or thoroughfare, it shall be the duty of the commissioners to notify in writing (which notice may be served by a wharfinger, or by the Secretary or Assistant Secretary of the Board), the owner, agent, occupant, or person placing or keeping such obstructions thereon, to remove the same within twenty-four hours after the serving of such notice; and in case of failure to comply with such notice, and remove such obstructions, the owner, agent, occupant, or person so notified shall be liable to pay the commissioners the sum of \$25 for each and every day during which said obstructions shall remain

upon any such wharf, pier, quay, landing, or thoroughfare; and the commissioners shall have power, in their discretion, to remove any such incumbering substance, and store the same in any suitable, convenient, and safe place, and a sum equal to the amount of the expenses of removal, together with all other necessary charges, shall be paid by the owner of such incumbering substance, to the commissioners, and such sum and necessary charges shall be a lien on such substance until paid. The commissioners are authorized to assign berths or slips for the exclusive use of sea-going steamers, ferryboats, and steamboats navigating the waters of the bay of San Diego and its tributaries, and to construct suitable offices, sheds, and inclosures for the accommodation of their business, and may charge for such exclusive use a reasonable sum, irrespective of their tonnage, or the number of days such berth is occupied. For the purpose of enforcing the charge for wharfage, or toll on goods, wares, and merchandise landed on any wharf, pier, or thoroughfare, or remaining thereon longer than the time prescribed by the harbor regulations, the said commissioners are authorized to take possession of such goods, wares, and merchandise; and if such charge be not paid within two days thereafter, may remove and store the same at the charge, risk, and expense of the owner or consignee thereof, or may sell the same by public auction, with or without notice, at their discretion; and for the purpose of keeping the wharves, piers, and thoroughfares free of obstructions, the said commissioners shall cause a written notice to be served on the owner, agent, consignee, or person in possession of any such obstructing material or structure; or may post a notice thereon, at their discretion, requiring its removal within twenty-four hours thereafter; and on failure to comply therewith, the commissioners may remove, store, or sell the same by public auction, at their discretion. From the proceeds of any such sale they shall retain all the wharfage and tools due, with ten per cent thereon; and, in case of obstructions, \$25 for each and every day during which the wharf, pier, or thoroughfare has been obstructed, and also all the expenses attending such sale, and the surplus, if any, shall be paid to the proper party. Such sale shall be made subject to immediate removal.

SEC. 2. Section 2588 of the above entitled Act is hereby amended to read as follows:

Section 2588. The Board of State Harbor Commissioners are hereby authorized and empowered and directed, as soon after the passage of this Act as they may deem proper, to employ two consulting civil engineers, to act in concert with the engineers of the board, to make a survey, select and locate a line for a harbor embankment or seawall, and to make a plan of the harbor for the construction of piers and wharves, and any improvements that said board may deem advisable, and make a report of their doings to said commissioners, who shall, after receiving the same, appoint a time for holding, at the office of the board, a special meeting of the board, to consider the question of adoption or rejection of the same. The board shall, at least ten days previous to said meeting, notify the Governor of the State, and the Mayor of the City of San Diego, and the Mayor of National City, of the time, place, and object of said meeting of said board, and shall request them to be present and take part in the consideration of the question; and at said meeting, or any adjourned meeting thereof, the Governor and said mayors shall be deemed additional members of said board, with like powers and rights as the other members thereof. If they are not present at the meeting the board shall adjourn to a day certain, and notify them anew as before; and if either be present at the adjourned meeting, with three commissioners, action may be had, and an affirmative vote of all four present shall determine the question; any less vote shall be a negative vote. But the board may from time to time, as it may be necessary, order new surveys and locations, and changes in said plan of improvement, which may be adopted or rejected, in like manner as before. If the vote is in the affirmative, the line adopted shall be thenceforth the line of the harbor embankment and seawall of the harbor of San Diego; said survey and plan, as so adopted, shall be followed in the construction of said seawall, piers, and wharves, as the same may be made.

SEC. 3. Section 2589 of the above entitled Act is hereby amended to read as follows:

Section 2589. On and after the passage of this Act, the Treasurer of the State shall keep the money remitted to him by the Board of State Harbor Commissioners for San Diego, and any other money received by him for the purpose of said fund, to the credit of a fund to be known as the San Diego Harbor Improvement Fund, after which all drafts drawn by this board shall be paid by the Treasurer out of the San Diego Harbor Improvement Fund.

SEC. 4. Section 2590 of the above entitled Act is hereby amended to read as follows:

Section 2590. The State Treasurer shall receive all moneys paid by the said State Harbor Commissioners for San Diego, and any moneys that may be received for the purpose of said fund, and keep the same in a separate fund, to be known as the San Diego Harbor Improvement Fund, and pay out the same as provided for in this article, and shall keep an accurate account of all moneys received by him and paid out under the authority of this article, in books kept solely for that purpose, which said books shall be open at all times to the inspection of the Governor, Controller of State, and of any committee appointed by the Legislature, or by either branch thereof.

SEC. 5. Section 2591 of the above entitled Act is hereby amended to read as follows:

Section 2591. When the commissioners determine to construct any part of the seawall, they must advertise for sealed proposals for not less than thirty days, in not less than two daily papers in San Diego. The advertisement must give a full and accurate description of the work to be done, the place where to be done, and the material to be used. On the day dated in the advertisement the bids must be opened in the presence of such bidders as are present, and the contract awarded to the lowest bidder, who

shall give a bond with two or more responsible sureties, to be approved by the commissioners, for the due performance of the work. Their approval must be indorsed on said bond. If, in the opinion of the commissioners, the bids are too high, they shall reject them and advertise anew in like manner as before. And if, in the opinion of the commissioners, the second bids are also too high, they shall reject them likewise and may enter into a contract with responsible parties without giving further notice. Or, if in the opinion of the commissioners, the work may be more economically performed by themselves, they may do so. The parties entering into a private contract with the commissioners must give a bond, with two or more responsible persons as sureties, to be approved by the commissioners, which approval shall be by writing indorsed upon said bond, conditioned for the faithful performance of the contract. But the consideration agreed to be paid in any contract entered into without giving public notice must be five per cent lower than the lowest responsible bid rejected. The work to be performed under any one contract shall not exceed one thousand lineal feet of harbor embankment or seawall. But the commissioners may enter into as many contracts at the same time as they deem expedient; *provided*, the amount in the Harbor Improvement Fund, together with the revenue estimated to accrue pursuant to Section 2582 of the Political Code, shall be sufficient to meet the contract price of such work, after deducting the current expenses of the commission, and the amount required for the erection and repair of the wharves, dredging the docks, and slips, and incidental expenses; but in no event shall the State be liable on such contracts for any deficiency in the Harbor Improvement Fund. Separate contracts may be entered into for the dredging of a canal for the reception of the rock required for the construction of a harbor embankment; *provided*, that the advertising of sealed proposals, the receiving and opening of bids, and the awarding of contracts required in this section, shall be complied with in the letting of such work in separate contracts. The commissioners may, if in their opinion it will be more economical, dredge with the dredger belonging to the State, the channel necessary for the reception of the stone used in the construction of the seawall. No contractor who enters into a contract to construct any portion of said seawall shall be required to commence the work in less than thirty days after the awarding of the contract. The board shall, at least ten days previous to the holding of any meeting, as provided in this section, notify the Governor of this State, and the Mayors of San Diego City and National City of the time, and place, and object of the meeting, and request them to be present and take part therein; and at said meeting the Governor, and the Mayors of the City of San Diego and of National City, shall be deemed additional members of said board, with like powers and rights as other members thereof; and no contract shall be entered into under the authority of this section without the consent of either the Governor, or Mayor of San Diego City, or the Mayor of National City. Every proposal shall be accompanied by a certified check for an amount equal to five per cent of the amount of such proposal, to be made payable to the order of the secretary of the board, conditioned that if the proposals are accepted and the contract awarded, and if the bidder shall fail or neglect to execute the contract and give the bond required within six days after the award is made, in that case said sum mentioned in said check shall be deemed liquidated damages for such failure and neglect, and shall be paid into the San Diego Harbor Improvement Fund, and all contracts made pursuant to this title shall provide, under penalties of forfeiture of contract, at the option of the commissioners, that no Chinese or Mongolian labor shall be employed on the work. The right to construct, maintain, and operate railroads on said bulkheads, embankment, or seawall, shall vest absolutely in said Board of Harbor Commissioners, to be operated by them with their own engines, and at such charges as they may see fit to make, but they shall give all railways terminating at the bay of San Diego equal facilities for bringing ship and car together; and as long as they have no engines of their own, they may hire such engines, or temporarily allow railroad or other companies to move their cars with other suitable engines.

SEC 6. Section 2605 of the above entitled Act is hereby amended to read as follows: Section 2605 Whenever the Board of State Harbor Commissioners for San Diego shall have located a line for a harbor embankment or seawall for any part of the harbor, as provided in Section 2588, they shall make a plan and plat of all the lands of the State included between the said embankment and the shore line of the bay, and file a copy of the same with the Recorder of the County of San Diego. The Commissioners shall have the right to lease said lands under such established rules and regulations as they may adopt and publish. But no lease shall be made or be valid for a term of more than fifty years, nor shall any lease be made or valid except made to the highest bidder, at public auction, after notice has been given in the official newspaper of the city, daily, for at least thirty days prior to said auction. And all leases shall provide for the payment of monthly rentals; and that the lessee or his assigns shall not use said lands in any manner to decrease the amount of the tidal waters of the bay; and shall also provide for the forfeiture of said leases upon non-fulfillment of any of the covenants in said leases. No portion of said lands shall be leased in one lease in quantity to exceed one acre, except when leased for railroad purposes, nor shall the leases of more than three acres in quantity of said lands be sold at any one public auction, except when leased for railroad purposes. Whenever the Board of State Harbor Commissioners for San Diego shall have adopted the plans for the construction of piers and wharves in said harbor and the improvements thereof as provided in Section 2588, they shall have the power to grant to any person permission to construct in said harbor piers and wharves according to said plan and according to specifications, rules, and regulations adopted by said board, at the cost and expense of said persons to whom such permission may be granted, but no such permis-

sion shall be granted for a term of more than fifty years, nor shall any such permission be made, or be valid, except to the highest bidder at public auction, after notice has been given in the official newspaper of the city, daily, for at least thirty days prior to said auction; and in granting such permission said board shall provide and require the payment of monthly rentals therefor, and such persons to whom such permission shall be granted shall use the said premises and the structures erected thereon by them according to the rules and regulations that may be adopted by said board, and shall also provide for the forfeiture and termination of such permission upon non-fulfillment of any of the covenants agreed to be performed by such persons, or violation of the rules and regulations of said board. All funds derived from said leases and permissions shall be reported to, and paid out from, the State treasury, as provided in Section 2584.

SEC. 7. All Acts or parts of Acts in conflict herewith are hereby repealed.

SEC. 8. This Act shall take effect and be in force immediately.

Amendment adopted.

Assembly Bill No. 30 ordered to print, engrossment, and third reading.

At three o'clock and fifteen minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 264—An Act making an appropriation to pay for the cleaning of the outer surface of the granite composing the lower story of the State Capitol at Sacramento, and requiring that such work be done under the direction of the Secretary of State.

On motion of Mr. Valentine, the enacting clause was stricken from the bill.

Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor.

Read second time.

Mr. Valentine moved to amend as follows:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the words "providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor," lines 1, 2, and 3 of the title, first page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "Creating a Governor's Mansion Commission, and providing for the construction and furnishing of a mansion for the Governor of the State of California, and appropriating the sum of \$69,500 for the erection and furnishing of said mansion, for the payment of prizes of competitive plans, for supervision of construction, for clerk hire, for the contingent expenses of said commission, and directing the State Controller to draw warrants upon the fund so appropriated, and directing the State Treasurer to pay said warrants."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out "\$55,000," on line 1, Section 1, first page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "\$69,500."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out the words "purposes of erecting a mansion for the Governor of the State of California, and its," on lines 3 and 4, Section 1, first page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "purpose of erecting and furnishing a mansion for the Governor of the State of California, and in."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

Amend, by striking out the words on line 2, Section 2, after the word "therefor," first page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "and the expenditure of all moneys for the construction and furnishing of said mansion."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out the words "all of Section 4" after the word "shall" on line 1, Section 4, second page of printed Assembly Bill No. 136, and inserting in lieu thereof the

following : "let the contracts for the erection of the Governor's mansion and furnishing of the same, and shall pay all expenses incident thereto. It may employ a superintendent of construction ; clerks, or other necessary employés, at the salaries to be fixed by the commission, to be paid out of the appropriation herein provided, and approved by the State Board of Examiners. It may offer prizes for competitive plans, and the commission shall be allowed the necessary contingent expenses incurred in the prosecution of its duties, not exceeding the amount hereinafter provided. Said appropriation of \$69,500 shall be subdivided and expended as follows: For the erection of the Governor's mansion, and the payment for the necessary plans therefor, \$50,000; for furnishing the Governor's mansion, \$15,000; for payment of prizes for competitive plans, \$1,000; for supervising the construction of the Governor's mansion, \$2,500, for clerk hire, \$500; for contingent expenses to the commission, \$500; and in no case shall indebtedness be created by the Governor's Mansion Commission or allowed by the State Board of Examiners for any of the items heretofore mentioned in this section in excess of the amount named. And all items of expenditure shall, before payment, be audited by said Governor's Mansion Commission, and be approved by the State Board of Examiners, and all of the expenses for erecting and furnishing said Governor's mansion shall be payable out of the appropriation made in this Act."

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend by striking out the words "its architecture shall harmonize with the State Capitol Building," on lines 2 and 3, Section 5, second page of printed Assembly Bill No. 136.

Adopted.

COMMITTEE AMENDMENT No. 7.

Amend by striking out all after the words "Section 6," second page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "Upon the erection, furnishing, and completion of said Governor's mansion, said commission shall make a full report of their acts and expenditures to the next session of the Legislature of the State of California, and the duties of said commission shall thereupon be ended."

Adopted.

COMMITTEE AMENDMENT No. 8.

Amend by striking out all after the words "Section 7," second page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "The State Controller is hereby directed to issue his warrants, from time to time, and in such sums as may be necessary for the payment of any contracts or other expenses incurred by the Governor's Mansion Commission under the provisions of this Act, and the State Treasurer is hereby directed to pay the same."

Adopted.

COMMITTEE AMENDMENT No. 9.

Amend by striking out all after the words "Section 8," second page of printed Assembly Bill No. 136, and inserting in lieu thereof the following: "All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed."

Adopted.

COMMITTEE AMENDMENT No. 10.

Amend by adding a new section, to be known and numbered as Section 9, second page of printed Assembly Bill No. 136, and reading: "Sec. 9. This Act shall take effect and be in force on and after its passage."

Adopted.

Mr. Valentine moved that the Assembly go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 136.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 136 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the

State of California, and appropriating the necessary money therefor—and do now report the same, with amendments, and recommend that the same do pass as amended.

WRIGHT, Chairman.

Report adopted.

Assembly Bill No. 136 ordered to print, engrossment, and third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Brown: Assembly Bill No. 457—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Read first time, and referred to Committee on State Library.

Also: Assembly Bill No. 458—An Act to amend the Penal Code by adding a new section thereto, to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution.

Read first time, and referred to Committee on State Library.

SPECIAL ORDER.

Mr. E. D. Sullivan moved that Assembly Bill No. 243 be made the special order of the day for to-morrow.

So ordered.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, January 26, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 26, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beccher, Belsaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lencie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Gruhn, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barce, Le Baron, Larimer, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien,

Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

Mr. McKeen was granted leave of absence for the day, on motion of Mr. Eugene Sullivan.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNAL.

The Journal of Tuesday, January 24, 1899, was read and approved.

REPORT OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1899.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publication of portraits and caricatures—report the same back, and recommend the passage of same.

JOHNSON, Chairman.

On motion of Mr. Johnson, Assembly Bill No. 400 was ordered at head of to-day's second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens for mechanics and others upon real property—report the same back, and recommend its passage.

Also: Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution—report the same back with two amendments, and recommend its passage as amended.

Also: Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Also: Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested—report the same back, and recommend its passage.

JOHNSON, Chairman.

Assembly Bills Nos. 96, 97, 98, and 207 ordered on second-reading file.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations have had under consideration the resolution introduced by Mr. Sanford on Monday last, providing for the substitution of Mr. Caminetti on the Committee on Ways and Means in place of Mr. Sanford, and now report the same back to the House, and recommend the adoption of said resolution, and the substitution of Mr. Caminetti for Mr. Sanford on said committee.

DIBBLE, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report that the committee has had a joint session with the Senate Committee on Rules and Revision; that the following Joint Rules have been agreed upon and your committee now recommend that they be adopted as the Joint Rules of the two houses, to take effect in this House when adopted by the Senate:

JOINT RULES.

1.—JOINT ADDRESS TO GOVERNOR.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both houses.

2.—BILL OR RESOLUTION IN ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given to the house in which the same shall have passed.

3.—REJECTED BILL REQUIRES FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

When a bill or resolution which has been passed in one house shall be rejected in the other, it shall not be brought in during the same session without notice of five days, and leave of two thirds of that house in which it shall be renewed.

4.—EACH HOUSE TO TRANSMIT PAPERS.

Each house shall transmit to the other, papers on which any bill or resolution shall be founded

5.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each house shall have once adhered to its disagreement, a bill or resolution shall be lost.

6.—NO APPROPRIATION EXCEPT BY BILL.

No appropriation of money, for any purpose whatever, shall be made except by bill.

7.—JOINT AND CONCURRENT RESOLUTIONS.

Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

8.—JOINT RESOLUTIONS TREATED AS BILLS

All joint resolutions shall be treated in all respects as bills, except that all joint resolutions shall be read but one time in each house.

9.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED

Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "Concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

10.—BILLS READ AND REFERRED TO COMMITTEE.

When a Senate bill has been received by the Assembly, or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee.

11.—SPECIAL FILE.

After the first day of February, 1897, the Senate and Assembly shall adopt and provide a special file upon which shall be placed: In the Senate only Assembly bills that have passed the Assembly, and in the Assembly only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock P. M. of each day, and be considered one hour and a half after being so taken up.

This rule shall not be suspended in either house except by a two-thirds vote of such house

12.—FEES ALLOWED IN CASES OF CONTEST.

Whenever, in the Senate or Assembly, a contest is made for the seat of any Senator or Assemblyman, no more than \$200 shall be allowed as counsel fees for the sitting member and \$100 for the contesting member, regardless of who is seated.

13.—BILLS NOT TO BE PRINTED FOR ENGROSSMENT UNLESS AMENDED.

Unless bills have been amended they shall not be again printed for engrossment, but the Engrossing Clerk shall use a copy of original printed bill in an engrossed bill cover, and report same back immediately after comparing same.

14.—CLERK TO ATTACH AMENDMENTS TO BILL.

If a Senate bill shall have been amended by the Assembly, the Clerk of the Assembly shall attach the amendments adopted by the Assembly to the Senate bill.

15.—SECRETARY TO ATTACH AMENDMENTS TO BILL.

If an Assembly bill shall have been amended by the Senate, the Secretary of the Senate shall attach the amendments adopted by the Senate to the Assembly bill.

16.—AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate, after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate Messages" or "Assembly Messages"), read the first time, and shall then be assigned to the proper committee, who shall report it within ten days, if received on or before January 25th, and within five days if received after January 25th, unless otherwise ordered by the Senate or Assembly.

17.—CLERK TO RETURN BILL TO SENATE.

After a Senate bill has passed the Assembly, or has been refused passage by the Assembly, the Clerk of the Assembly shall, after making the proper indorsement thereon and the proper entries in the Register of Bills, return the bill to the Senate, and in the Assembly message, which must accompany same, mention the action taken by the Assembly.

18.—SECRETARY TO RETURN BILL TO ASSEMBLY.

After an Assembly bill has passed the Senate, or has been refused passage by the Senate, the Secretary of the Senate shall after making the proper indorsements thereon and the proper entries in the Register of Bills, return the bill to the Assembly, and in the Senate message, which must accompany same, mention the action taken by the Senate.

19.—TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments.

20.—WHEN AMENDMENTS ARE CONCURRED IN.

If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments, and the bill shall be ordered to enrollment.

21.—WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR.

If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the house making the amendments of the action taken and ask that they recede from their amendments. If they refuse to recede, a Committee on Conference shall be appointed consisting of six members, three to be appointed by the President of the Senate and three by the Speaker of the Assembly. The Committee on Conference shall report to both the Senate and Assembly.

22.—COMMITTEE ON CONFERENCE.

In every case of an amendment of a bill agreed to in one house, and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective houses.

23.—FREE CONFERENCE COMMITTEE.

If the Committee on Conference fail to agree, or either the Senate or Assembly refuse to adopt the report of the committee, it shall then be in order to appoint a Committee on Free Conference.

A Committee on Free Conference shall consist of six members, to be appointed in the same manner as a Committee on Conference.

The Committee on Free Conference are hereby empowered to suggest in their report any new amendments which they may adopt as a committee, but such amendments made by such committee shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment in either house, but the conferees may be discharged and other conferees appointed, or the report may be recommitted to the same conferees.

24.—WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

The presentation of report of Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate or Assembly is dividing, or during roll call; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed, and shall be determined without debate.

25.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

When a message shall be sent from either house it shall be announced at the door

by the Assistant Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

26.—SECRETARY, CLERK, ETC., TO CARRY MESSAGES.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each house may determine to be proper.

27.—NOTICES TO BE ON PAPER, UNDER PROPER SIGNATURE.

Notice of the action of either house to the other shall be on paper, and under the signature of the Secretary or Clerk of the house from which such notice is to be conveyed.

28.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both houses, it shall be duly enrolled and carefully compared by the Enrolling Clerk and Enrolling Committee of the Assembly, or of the Senate, as the bill may have originated, and shall first receive the signature of the presiding officer and Clerk or Secretary of the house in which it emanated, before it shall be presented to the Governor of the State.

29.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be reexamined by the Enrolling Committee of the house in which they originated, who shall compare the enrollment with the engrossed bill as passed in the two houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the house in which the bill originated, stating by whom such bill was examined.

30.—PRESIDENT AND SPEAKER TO SIGN BILLS

After examination and report, each bill shall be signed in the respective houses, first by the Speaker of the Assembly, then by the President of the Senate.

31.—ENROLLING COMMITTEE TO PRESENT BILLS TO GOVERNOR.

After a bill shall have thus been signed in each house, it shall be presented by the Enrolling Committee of the house in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which house the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

32.—DAILY HISTORY OF BILLS, ETC.

There shall be printed daily, by both the Senate and Assembly, a history of all bills, joint and concurrent resolutions, and constitutional amendments, which shall show the action taken by the house, up to the day preceding the publication of such history. A regular form shall be prescribed, and no other form shall be used.

33.—SECRETARY AND CLERK TO KEEP REGISTER.

The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

34.—SECRETARY AND CLERK SHALL INDORSE BILLS.

The Secretary of the Senate and Clerk of the Assembly shall indorse, on every original bill, a statement of any action taken by the Senate and Assembly.

35.—ADJOURNMENT *SINE DIE*.

An adjournment *sine die* shall only be made by concurrent resolution.

36.—DISPENSING WITH JOINT RULES.

No Joint Rule shall be dispensed with except by vote of two thirds of each house; and if either house shall violate a Joint Rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violation shall be returned to the house in which it originated, without further action. Or, at the option of such house, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as non-concurred in or negatived.

DIBBLE, Chairman.

On motion of Mr. Dibble, the Joint Rules were adopted.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 339—An Act to authorize the insurance of all property of the University of California held for purposes of income against damages or loss.

Also: Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School of San Diego, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 154—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education.

Also: Assembly Bill No. 284—An Act appropriating \$7,500 for the construction of a wagon road from Round Valley, Mendocino County, to Colusa County, and appointing a commissioner to superintend the construction and building of the same—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Roads and Highways.

VALENTINE, Chairman.

Assembly Bills Nos. 339 and 253 referred to Committee on Public Buildings and Grounds.

Assembly Bills Nos. 13, 249, and 154 ordered on second-reading file.

Assembly Bill No. 284 referred to Committee on Roads and Highways.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, pilot commissioners, and pilotage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KNOWLAND, Chairman.

Assembly Bill No. 121 ordered on second-reading file.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 9—Relative to the abrogation of that portion of the Stanislaus forest reserve in Alpine County, or in lieu thereof, the permission of pasturage of sheep in said portion thereof for the year 1899.

Also: Senate Joint Resolution No. 12—Relative to the improvement of San Pablo Bay.

F. J. BRANDON, Secretary.
By F. L. THOMAS, Assistant.

Senate Joint Resolutions Nos. 9 and 12 ordered on Senate Special File.

RE-REFERENCE OF BILLS.

Mr. Rickard moved that Assembly Bill No. 455 be recalled from the Committee on Claims and referred to the Committee on Ways and Means.

So ordered.

PETITIONS.

Mr. Caminetti presented the following petition:

To the Senate and Assembly of the Legislature of California:

We, the undersigned, residents of Sutter, in the County of Amador, California, respectfully ask your honorable body to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

REV. CLIFFORD.

And one hundred and four others.

Mr. Greenwell presented a similar petition from the residents of Ventura, Ventura County, signed by H. C. Wilbur and 36 others.

Also: Presented various petitions from residents of Ventura County, signed by 302 persons.

Also: One presented by Mr. Works, from people of San Diego County, signed by 88 persons.

Also: One presented by Mr. Fairweather, from Fresno County, signed by 158 persons.

Also: One presented by Mr. Lardner, signed by 286 residents of Placer County.

Also: One presented by Mr. Radcliff, signed by 412 residents of Santa Cruz County.

Also: One presented by Mr. Johnson, signed by 401 residents of Sacramento County.

BILL RECALLED.

Mr. Hoey moved to recall Assembly Bill No. 366 from the Committee on Public Works, State Capitol, and Parks, and refer to Committee on Labor and Capital.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Crowder, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Grillin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Works, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Mr. E. D. Sullivan moved that Assembly Bill No. 243 be immediately transmitted to the Senate.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Kelsey: Assembly Bill No. 459—An Act to amend Section

2440 of the Political Code of the State of California, approved March 12, 1872, relating to the appointment of Pilot Commissioners for San Francisco, Mare Island, and Benicia.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. McDonald of Alameda: Assembly Bill No. 460—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 461—An Act adding a new section to the Civil Code of the State of California, to be known as Section 1314.

Read first time, and referred to Committee on Judiciary.

By Mr. Greenwell: Assembly Bill No. 462—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all acts amendatory thereof and supplementary thereto, relating to undertakings in actions of libel.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Mead: Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate, and the effect of such certificate.

Read first time, and referred to Committee on Corporations.

By Mr. Brown: Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Read first time, and referred to Committee on Judiciary.

By Mr. Raub: Assembly Bill No. 466—An Act to increase the membership of the auditing board of the Commissioner of Public Works.

Read first time, and referred to Committee on Commissions and Public Works.

By Mr. Cobb (by request): Assembly Bill No. 467—An Act to amend Section 1324 of the Code of Civil Procedure, relating to hearing proofs of probate of foreign will.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 468—An Act prohibiting officers and employes of State institutions visiting or being at Sacramento during the session of the Legislature unless required by the Governor, by the Legislature, or either house thereof, or by a committee of the Legislature, and for the betterment of public service.

Read first time, and referred to Committee on Commissions and Public Expenditures.

Also (by request): Assembly Bill No. 469—An Act to amend Section 5 of an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Read first time, and referred to Committee on Corporations.

Also (by request): Assembly Bill No. 470—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Nos. 2, 172, 68, 69, 265, 163, 324, 320, and 268.

Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court

Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian.

Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition

Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial.

Assembly Bill No. 163—An Act to amend Section 1033 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing, and service, and affidavit of bill of costs, and motion to relax same.

Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund

RICKARD, Chairman.

Assembly Bills Nos. 2, 172, 68, 69, 265, 163, 324, 320, and 268 ordered on third-reading file.

THIRD-READING FILE.

Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Belshaw, Blood, Boynton, Brown, Burnett, Cammetti, Carhill, Clark, Cobb, Conrey, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Huber, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—54.

NOES—Messrs. Boone, Clough, De Lancey, Hoey, Johnson, and Le Baron—6

Title read and approved.

At eleven o'clock and five minutes A. M., the Speaker called Mr. Valentine to the chair.

Mr. Sanford moved to reconsider the vote whereby Assembly Bill No. 83 was yesterday refused final passage.

Motion carried.

Mr. Sanford moved that Assembly Bill No. 83 take its place on file immediately preceding Assembly Bill No. 84.

So ordered.

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Passed on file.

Assembly Bill No. 85—An Act to prevent the blacklisting of employes.

Passed on file.

Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wardell, White, and Works—53.

NOES—Mr. Clough—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following concurrent resolution has been correctly enrolled: Assembly Concurrent Resolution No. 6—Relative to the approval of the San Francisco charter—and was presented to the Governor this day at eleven o'clock and fifteen minutes A. M.

RICKARD, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package, bearing the duly filed trademark or name of another, printed, branded, stamped, engrossed, etched, blown, or otherwise attached or produced thereon.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Arnerich, Atherton, Barry, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Cowan, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, and Works—55.

NOES—Messrs. Beecher, Belshaw, Cargill, Crowder, Mack, Melick, Milice, Raw, and White—9.

Title read and approved.

RECESS.

At eleven o'clock and thirty minutes A. M., on motion of Mr. Hoey, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened.

Speaker Wright in the chair.

CONSIDERATION OF BILLS—(RESUMED).

Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Passed on file.

Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Passed on file.

Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Passed on file.

Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Cowan, Crowder, Crowley, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—64.

NOES—None.

Title read and approved.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 26, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate

the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators. The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—39.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Felix, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radchill, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—78

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, January 25, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, January 25, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. T. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Thomas H. Bard—Senators Flint and Rowell—2.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12

Whole number of votes cast by Senators	38
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	12 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr Wade—1.

For R. N. Bulla—Messrs. Belsnaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsev, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, De Lance, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merfill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Burnett, Camineti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19

For John Rosenfeld—Mr. Crowley—1

Whole number of votes cast by Assemblymen	78
W. H. L. Barnes received	7 votes
M. M. Estee received	1 vote
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	19 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	116
Necessary to a choice	59
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Thomas R. Bard received	2 votes
Stephen M. White received	31 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-five minutes P. M., Senator Cutter moved that the Joint Assembly do now adjourn.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until 12 o'clock M. of Friday, January 27, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Miller of Los Angeles, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Wright in the chair.

THIRD-READING FILE.

Assembly Bill No. 52—An Act to reduce the Judges of the Superior Court of San Bernardino County to one.

Read third time.

The question being on final passage of the bill.

The roll was called, and the bill passed by the following vote;

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Clark, Clough, Cobb, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Passed temporarily on file.

Assembly Bill No. 125—An Act to prevent deception in the sale of process or renovated butter.

Passed on file.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Read third time, and passed on file.

Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessment in reclamation districts, and to provide for a hearing of the landowners before the Commissioner of Assessment, in relation to such assessment.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Cargill, Clark, Clough, Cobb, Conrey, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Assembly Bill No. 42—An Act to amend an Act entitled "An Act authorizing boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations," approved March 26, 1895.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Boone, Brooke, Brown, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—59

NOES—None.

Title read and approved.

Assembly Bill No. 53—An Act providing for the organization of municipal corporations, and for determining the population thereof.

Read third time.

Mr. Cowan moved that Assembly Bill No. 53 be referred to a committee of one, with instructions to amend as follows:

Amend, after the word "class," on line 3, page 1, by inserting "according to the classification now provided by law."

Mr. Cowan was appointed as such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof—with instructions, does now report that the instructions of the Assembly have been carried out.

COWAN, Committee.

Assembly Bill No. 53 ordered to print and reengrossment, and to retain its place on file.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dunlap, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Robinson, Eugene Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—52.

NOES—Messrs. Fairweather, Feliz, Glenn, Marvin, Milce, and Works—6.

NOTICE OF RECONSIDERATION.

Mr. Brown gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 45 was this day finally passed.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Passed on file.

Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Cowan, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raw, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Cowan, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—59.

NOES—None.

Title read and approved.

At three o'clock and five minutes P. M., Mr. Hoey moved to adjourn. Motion lost.

Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley,

Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kenneally, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—56.
NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

RICKARD, Chairman.

Assembly Bill No. 149 ordered on third-reading file.

ON CONTESTED ELECTIONS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of Finley McIver vs P. H. Mack, for a seat in this Assembly from the Sixtieth Assembly District, beg leave to report that, after hearing the case, the contestants being present in person and by attorney, we find that P. H. Mack was duly and legally elected, having received a plurality of all votes cast in said district for the office of Assemblyman at the general election held November 8, 1898, and that he is entitled to retain his seat in this Assembly as a member thereof from said district, and we recommend the adoption of the following resolution:

Resolved, That P. H. Mack is, and is hereby declared to be, entitled to retain his seat in this Assembly and the office of Assemblyman from and for the Sixtieth Assembly District of the State of California.

COSPER, Chairman.
WADE.
HENRY.
COWAN.
PIERCE.
CROWLY.

Report received and resolution adopted.

ON COMMISSIONS AND PUBLIC EXPENDITURES—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1899.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, to whom was referred Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Also: Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such bank commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

CONREY, Chairman.

Assembly Bills Nos. 166 and 206 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee as follows:

By Mr. Le Baron: Assembly Bill No. 471—An Act to amend Section 3818 of the Political Code, said section relating to public lands, and revenue and taxation.

Read first time, and referred to Committee on Judiciary.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Passed on file.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Passed on file.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 91—"An Act to provide for the organization, incorporation, and government of Municipal Corporations"—report the same back without recommendation.

Also: Assembly Bill No. 182—Relating to unincorporated towns and villages to equip and maintain a fire department—report the same back, and recommend that it do pass as amended, as follows: Amend Section 9, line 6, of printed bill, by changing the word "from" to the word "for" Also: In line 10, same section, change the word "of" to the word "by."

Also: Assembly Bill No. 286—Relating to cities and towns of the sixth class to obtain, by purchase, donation, or devise, land for cemetery purposes—report the same back to the House that it do pass.

Also: Assembly Bill No. 301—Relating to the disincorporation of municipal corporations of the sixth class—report the same back to the House that it do pass.

Also: Assembly Bill No. 302—Relating to ownership of property and the winding up of affairs of municipal corporations disincorporated—report the same back to the House that it do pass.

RAW, Chairman.

Assembly Bills Nos. 91, 182, 286, 301, and 302 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

Messrs Anderson, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—58.

NAYS—None.

Title read and approved.

Assembly Bill No. 163—An Act to amend Section 1033 of an Act

entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing and service and affidavit of bill of costs, and motion to retax same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Valentine, Wade, White, Works, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Mr. Dibble moved that the rules be suspended and the second-reading file taken up.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Committee on State Hospitals and Asylums:

WHEREAS, Various bills have been referred to the Committee on State Hospitals and Asylums, calling for large appropriations of money for buildings, improvements, and betterments;

Resolved, That said committee is hereby authorized to visit the various State hospitals for the purpose of investigating and intelligently determining what improvements are indispensable, and what, if any, of the proposed improvements can, without material detriment to such institutions, be dispensed with; it is further

Resolved, That the members of said committee are hereby granted a leave of absence for said purpose.

WADE, Chairman.

Resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. E. D. Sullivan: Assembly Bill No. 472—An Act to amend Section 1379 of the Code of Civil Procedure, relating to administration of estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. White: Assembly Bill No. 473—An Act to amend Section 1618 of the Code of Civil Procedure of the State of California, relating to estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 474—An Act to amend Section 1729 of the Code of Civil Procedure of the State of California, relating to public administrators.

Read first time, and referred to Committee on Judiciary.

At three o'clock and forty minutes P. M., the Speaker called Mr. Dibble to the chair.

SECOND-READING FILE.

Assembly Bill No. 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publication of portraits and caricatures.

Read second time.

Mr. Johnson moved to amend as follows:

Amend by adding after the word "publication," at end of line 17, page 1 of the printed bill, as follows: "Actions for the violation of this section shall be tried in the county where such newspaper, handbill, poster, book, or serial publication or supplement is printed, or has its publication office, or in the county where the person whose portrait caricature is published resides at the time of the alleged publication."

Adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for non-user of corporate powers.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by adding the words "and protection districts," on line 2 of Section 1 of printed bill, after the word "districts."

Adopted.

AMENDMENT No. 2.

Amend by adding the words "and protection districts" after the words "reclamation districts," in the title of the printed bill.

Adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

Passed on file.

Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Passed on file.

Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products, as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Passed on file.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Passed on file.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883; and an Act amendatory thereof, approved February 18, 1885; and an Act amendatory thereof, approved March 7, 1889.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Read second time.

Mr. Rickard moved that the Assembly do now go into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill 293.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 293 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor—and do now report and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 293 ordered to engrossment and third reading.

Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court.

Passed on file.

Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of, the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court.

Passed on file.

Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects.

Read second time.

Mr. Arnerich moved that the Assembly do now go into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 160.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 160 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects—and do now report, and recommend that the same do pass.

DIBBLE, Chairman.

SECOND-READING FILE—(RESUMED).

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Read second time, and ordered on third-reading file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Rickard: Assembly Bill No. 475—An Act to pay the claim of J. W. Newbert against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 476—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Mead: Assembly Bill No. 478—An Act regulating the cancellation of fire insurance policies and providing penalties for refusing to cancel the same.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 479—An Act to amend an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, by amending Sections 1204, 1211, and 1260 thereof, relating to elections.

Read first time, and referred to Committee on Election Laws.

SPECIAL ORDER.

Mr. Melick moved that Senate Joint Resolution No. 10 be made special order of the day for to-morrow.

So ordered.

ADJOURNMENT.

At four o'clock and eight minutes P. M., on motion of Mr. Wright, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, January 27, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Friday, January 27, 1899. {

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Wright in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, De Lancie, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Pierce, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—73.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Fairweather was granted leave of absence for to-morrow.

Mr. Dale was granted leave of absence for the day, on motion of Mr. Works.

Mr. Greenwell was granted leave of absence, on motion of Mr. McDonald of Alameda.

Mr. Le Baron was granted leave of absence, on motion of Mr. Atherton.

Mr. Dunlap was granted leave of absence, on motion of Mr. Muentner.

READING AND APPROVAL OF JOURNALS.

The Journal of Wednesday, January 25, 1899, was read and approved.

Pending the reading of the Journal of Thursday, January 26, 1899 the further reading was dispensed with, on motion of Mr. Dibble.

PETITIONS.

By Mr. Miller of Los Angeles:

To the Senate and Assembly of the Legislature of California.

We, the undersigned, residents of the County of Los Angeles, California, respectfully ask your honorable body to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

Signed by sixty residents of said county.

A similar petition was presented by Mr. Feliz, signed by 430 residents of Monterey County.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899

MR. SPEAKER. Your Committee on Judiciary, having had under consideration Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act—report the same back with three amendments, and recommend its passage as amended.

Also: Assembly Bill No. 10—An Act for the relief of John Mullan, and to appropriate money therefor—report the same back, and recommend that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 32—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny—report the same back, and recommend its passage.

Also: Assembly Bill No. 165—An Act to amend Section 1104 of the Civil Code of the State of California, relating to transfers of property—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances—report the same back, and recommend its passage.

Also: Assembly Bill No. 190—An Act authorizing the appointment of private secretaries to the Justices of the Supreme Court, and fixing their compensation—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Also: Assembly Bill No. 250—An Act to amend Section 3608 of the Political Code of the State of California, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections 3609 and 3610; also, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

Also: Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any State Prison, State Reformatory, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

Report the same back and recommend their passage

JOHNSON, Chairman.

Assembly Bills Nos. 5, 32, 165, 177, 329, 250, and 361 ordered on second-reading file.

Assembly Bill No. 10 referred to Committee on Ways and Means.
Assembly Bill No. 190 withdrawn by author.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof

Also: Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MUENTER, Chairman.

Assembly Bills Nos. 366 and 376 ordered on second-reading file.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on State Library beg leave to report that they have had under consideration Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library—and report the same back, and recommend its passage

Also: Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor—and report the same back, with our approval, and recommend that it be referred to Committee on Ways and Means.

BROWN, Chairman.

Assembly Bill No. 308 ordered on second-reading file.

Assembly Bill No. 309 referred to Committee on Ways and Means.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAM McDONALD, Chairman.

Assembly Bill Nos. 240 and 159 referred to Committee on Ways and Means.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

BEECHER, Chairman.

Assembly Bill No. 155 ordered on second-reading file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 179—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

CROWDER, Chairman.

Assembly Bill No. 179 referred to Committee on Judiciary.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ARNERICH, Chairman.

Assembly Bill No. 88 ordered on second-reading file.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class

R. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class.

Read first time, and referred to Committee on Education.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Belshaw: Assembly Bill No. 480—An Act to amend Section 397 of the Penal Code, relating to the selling of liquor to habitual or common drunkards, minor children, idiots, insane or incompetent persons, and Indians, and relating to minors being allowed to remain in and about saloons and drinking places.

Read first time, and referred to Committee on Judiciary.

By Mr. Valentine: Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols for services rendered to the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 482—An Act to amend Section 2955 of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Lardner: Assembly Bill No. 483—An Act to amend Section 833 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and referred to Committee on Judiciary.

By Mr. Devoto: Assembly Bill No. 484—An Act to add one new section to the Code of Civil Procedure, said section to be designated as Section 1185½, providing for mechanics' liens upon the proceeds of policies of insurance taken out upon buildings or structures subject to liens, and destroyed or damaged by fire.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 485—An Act to amend Section 1183 of the Code of Civil Procedure, concerning mechanics' liens.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 486—An Act to amend Section 1194 of the Code of Civil Procedure, concerning the rank and class of mechanics' liens.

Read first time, and referred to Committee on Judiciary.

By Mr. Cobb (by request): Assembly Bill No. 487—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read first time, and referred to Committee on Corporations.

Also (by request): Assembly Bill No. 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Knowland: Assembly Bill No. 489—An Act relative to limiting the hours of service on railroads, and providing legal sanction.

Read first time, and referred to Committee on Corporations.

By Mr. Johnson: Assembly Bill No. 490—An Act to amend Section 851 of the Code of Civil Procedure of the State of California, relating to pleadings in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rogers for services as elevator attendants in the Capitol building.

Read first time, and referred to Committee on Ways and Means.

By Mr. Feliz: Assembly Constitutional Amendment No. 15—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of California, relating to the free exercise and enjoyment of religious worship.

Read and referred to Committee on Judiciary.

By Mr. Merritt: Assembly Concurrent Resolution No. 15—Approving the charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, voted for and ratified by the qualified voters of said city at a special election held therein for that purpose on the twentieth day of September, 1898.

Read, and ordered to printer and on file.

REPORT OF COMMITTEE ON CONTESTED ELECTIONS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of Thomas E. Brophy vs. Daniel S. O'Brien for a seat in this Assembly from the Thirty-first Assembly District, in the City and County of San Francisco, beg leave to report that we have fully considered said contest, and have counted all the ballots voted for Assemblyman in said district at the general election held on the eighth day of November, 1898, that we rejected all the ballots voted in Precinct Twelve of said district for reason of irregularity in the conduct of the election therein, it appearing that the polls in said district were closed about seven minutes before the hour prescribed by law for closing, and while there were voters in line who had not voted; that exclusive of said Twelfth Precinct, we find that said Daniel S. O'Brien received a plurality of forty-six of all the legal votes cast at said election in said district for the office of Assemblyman, and we therefore find and so report that said contestee, Daniel S. O'Brien, was legally elected and is entitled to retain his seat in this Assembly as a member thereof from said Thirty-first Assembly District, and we recommend the adoption of the following resolution:

Resolved, That Daniel S. O'Brien is and he is hereby declared to be entitled to retain

his seat and to retain the office of Assemblyman from and for the Thirty-first Assembly District of the State of California, for the term of two years from the first day of January, 1899.

COSPER, Chairman.
WADE.
PIERCE.
COWAN.
CROWLY

Report and resolution adopted, on motion of Mr. Wade.

RESOLUTION.

By Mr. Lardner:

Resolved, That the Committee on Claims of the Assembly be authorized to appoint a sub-committee of their number—not exceeding four—with authority to go to Dutch Flat, Placer County, Cal., to investigate the facts necessary to arrive at a correct decision on the validity of the bills now before said committee—Nos 76, 77, 78, 79, 80, 81, and 82—and that the actual traveling expenses and hotel bills incurred in said investigation be paid by the authorization of the Assembly.

Resolution adopted.

REPORT OF COMMITTEE ON PUBLIC LANDS AND FORESTRY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school land warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Also: Assembly Bill No. 373—An Act entitled “An Act to amend Sections 3571 and 3572 of the Political Code of the State of California, relating to public lands and funds”

Also: Assembly Bill No. 58—An Act entitled “An Act to amend Section 3546 and Section 3547 of an Act entitled ‘An Act to establish a Political Code,’ approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.”

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 181—An Act entitled “An Act to provide for vacating and closing up any park, plaza, public square, or any other public reservation not belonging to the State, and not situated within any municipality”—have seen fit to amend, by striking out the words “to be designated by the board, published in the county, and of general circulation in the vicinity of such park, plaza, public square, or public reservation,” on line 6, page 2, of printed bill, and inserting in lieu thereof the following: “of general circulation, published nearest the location of such park, plaza, public square, or public reservation.” The committee recommend this bill, No. 181, pass as amended.

KENNEALLY, Chairman.

Assembly Bills Nos. 111, 373, 58, and 181 ordered on second-reading file.

RESOLUTIONS.

By Mr. Caminetti:

Resolved, That the membership of the Judiciary Committee be increased to twenty-three members.

Referred to Committee on Rules and Regulations.

By Mr. Valentine:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of four hundred and thirty-five dollars and seventy-five cents (\$435 75), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles as per attached bill:

Bought of H. S. Crocker Co.:

249 Keystone binders, at \$1 75 each..... \$435 75
As per resolution of January 5, 1899.

Referred to Committee on Ways and Means.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 6—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 1½, relating to the exemption from taxation of churches and chapels, and the real property on which they are situated.

The following committee amendment was submitted:

Strike out the words, "used exclusively as churches and chapels, and the real property on which they are situated," in lines 1 and 2, page 1, printed bill, and insert in lieu thereof the words: "and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship."

Amendment adopted.

Assembly Constitutional Amendment No. 6 ordered to printer, and made special order for Tuesday, January 31, 1899.

REPORT OF COMMITTEE ON ENGROSSED AND ENROLLED BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 160, 158, 33, 229, 293, and 273.

Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects

Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893

RICKARD, Chairman.

Assembly Bills Nos. 160, 158, 33, 229, 293, and 273 ordered on third-reading file.

SPECIAL ORDERS—(RESUMED).

Senate Joint Resolution No. 10—Relative to construction of Nicaragua Canal.

Resolution read.

The question being on the adoption of Senate Joint Resolution No. 10.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs Anderson, Arnerich, Atherton, Bliss, Boynton, Clark, Clough, Cobb, Conrey, Cosper, De Lancia, Devoto, Dibble, Griffin, Henry, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Marvin, McKeen, Melick, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, and Mr. Speaker—33.

NOES—Messrs. Blood, Boone, Brown, Burnett, Caminetti, Cowan, Crowder, Crowley, Fairweather, Feliz, Glenn, Hanley, Hovey, Jilson, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, Muentner, Raw, Sanford, Stewart, E. D. Sullivan, Wardell, White, and Works—30.

NOTICE OF RECONSIDERATION.

Mr. Wade gave notice that on to-morrow he would move to reconsider the vote whereby Senate Joint Resolution No. 10 was this day passed.

EXPLANATION OF VOTE.

We vote "no" on the Senate Nicaragua Canal resolution, because we believe the Government should itself construct and operate the canal. The resolution does not so provide.

WORKS.
BROWN.
CROWDER.

THIRD-READING FILE.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone, and materials for country roads only, and articles consumed in the State penal institutions."

Passed on file.

At eleven o'clock and five minutes A. M., the Speaker called Mr. Valentine to the chair.

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Read third time.

Mr. Lardner moved to refer Assembly Bill No. 83 to a select committee of one, to amend as follows:

Amend Section 1 of said Act by adding at the end of Section 1 the following: "*Provided*, that the provisions of this Act shall not apply or be in force and effect on any sawmills, shingle-mills, shakemills, logging camps, situated and located at an elevation in the State of fifteen hundred feet and upwards."

So ordered.

Mr. Lardner was appointed as such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps—with instructions to amend the same, does now report that the instructions of the Assembly have been carried out.

LARDNER, Committee

Report adopted.

Mr. Raw moved to refer Assembly Bill No. 83 to a select committee of one, to amend as follows:

Strike out Section 2.

Motion lost.

Assembly Bill No. 83 ordered to print and reëngrossment.

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boone, Boynton, Brooke, Burnett, Caminetti, Clark, Cosper, Cowan, Crowder, De Lancia, Devoto, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Mead, Merrill, Merritt, Milice, Miller of San Francisco, Muentner, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Works—52.

NOES—Messrs. Blood, Clough, Conrey, Jilson, Mack, McDonald of Tuolumne, Melick, Miller of Los Angeles, Pierce, Radcliff, Raw, and Valentine—12.

Title read and approved.

Assembly Bill No. 85—An Act to prevent the blacklisting of employés.
Read third time.

Mr. Belshaw moved to refer Assembly Bill No. 85 to a select committee of one, with instructions to amend as follows:

Strike out in line 8 of Section 2 the words "or contrive by correspondence or otherwise."

So ordered.

Mr. Belshaw was appointed such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 85—An Act to prevent the blacklisting of employés—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

BELSHAW, Committee.

Report rejected.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Boone, Brooke, Burnett, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cospier, Cowan, De Lancie, Devoto, Dunlap, Felz, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Mack, Marvin, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—49.

NOES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Clough, Crowder, Fairweather, Glenn, Knowland, Lardner, McDonald of Alameda, McDonald of Tuolumne, Merritt, Pierce, and Radcliff—19

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Raw gave notice that he would on to-morrow move to reconsider the vote whereby Assembly Bill No. 85 was this day finally passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery association," approved April 28, 1859, authorizing such association to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead, to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead and bodies liable, if interred, to spread disease—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 222—An Act to amend an Act entitled the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 223—An Act to amend an Act entitled the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 156—An Act for the protection of horticulture, and to prevent the introduction into this State of insects, or diseases, or animals injurious to fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CARGILL, Chairman.

Assembly Bills Nos. 151, 222, 223, 157, and 156 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 73—An Act to create the bureau of State Inspection of Foods, Drinks, and Drugs in the State of California—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass.

CARGILL, Chairman.

Assembly Bill No. 492—(Substitute for Assembly Bill No. 73, by Committee on Public Health and Quarantine)—An Act to reorganize the State Board of Health, and to grant it additional powers.

Read first time, and ordered on second-reading file.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor—recommend that the same do pass.

Also: Your Committee on Claims, to whom was referred Assembly Bill No. 34—An Act for the relief of W. C. Gurey—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

WILLIAM McDONALD, Chairman.

Assembly Bills No. 211 and 34 re-referred to Committee on Ways and Means.

RESOLUTIONS.

By Mr. Wade:

SACRAMENTO, January 27, 1899.

Resolved, That the Sergeant-at-Arms be and is hereby directed to set apart a suitable room for the exclusive use of the typewriters employed by the Assembly, and that such typewriters be and are hereby required to be in said room during all hours when the Assembly is in session, when not required to be at other places, and that the type-writing machines be kept in such room.

Referred to Committee on Attachés and Employés.

At eleven o'clock and fifty-five minutes A. M., the Speaker resumed the chair.

By Mr. Kelsey:

WHEREAS, Various bills have been referred to the Committee on Public Buildings and Grounds, calling for large appropriations of money for buildings, improvements, and betterments;

Resolved, That said committee is hereby authorized to visit the various public buildings for the purpose of investigating and intelligently determining what improvements are indispensable, and what, if any, of the proposed improvements can, without material detriment to such institutions, be dispensed with; it is further

Resolved, That not to exceed six members of said committee are hereby granted a leave of absence for said purpose.

Resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Belshaw: Assembly Bill No. 493—An Act to repeal Section 3640 of the Political Code of the State of California, relating to the field enrollment book of Assessors.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 494—An Act to pay the claim

of G. H. Smith for services rendered as Porter in the Assembly at the Thirty-second session of the Legislature.

Read first time, and referred to Committee on Claims.

By Mr. Brooke: Assembly Bill No. 495—An Act to amend Section 851 of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read first time, and referred to Committee on Judiciary.

By Mr. O'Brien: Assembly Bill No. 496—An Act to amend Section 1369 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 497—An Act to amend Section 158 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 498—An Act to amend Section 8 of an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said court," approved February 23, 1893, relative to stenographers.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 499—An Act providing for the selection, condemnation, and purchase of a suitable site and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 27, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Gillette, Hall, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—78.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, January 26, 1899.
The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, January 26, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senator Rowell—1.
For Stephen M. White—Senators Ashe, Braunhart, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—11.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr. received.....	7 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	1 vote.
Stephen M. White received.....	11 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Henry, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—16

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, De Lancey, Huber, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—18.

For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

For Marion De Vries—Mr. Brooke—1.

For E. P. Mogan—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	16 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	18 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	19 votes.
E. P. Mogan received	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	23 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	25 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received	1 vote.
Stephen M. White received	30 votes.
E. P. Mogan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-five minutes P. M., Mr. Dibble moved that the Joint Assembly do now adjourn.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, January 28, 1899.

IN ASSEMBLY.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Wright in the chair.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 91—An Act to prevent deception in the sale of process or renovated butter.

Also: Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd, by the State Board of Examiners, and to appropriate money therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 91—An Act to prevent deception in the sale of process or renovated butter.

Read first time.

On motion of Mr. Atherton, substituted on the file for Assembly Bill No. 125.

Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

At two o'clock and ten minutes P. M., the Speaker called Mr. Dibble to the chair.

SECOND READING OF BILLS—(OUT OF ORDER).

Mr. Belshaw moved to suspend the rules, and call up out of order Assembly Bills Nos. 287 and 288 for consideration.

So ordered.

Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court."

Read second time.

Mr. Belshaw moved to amend as follows:

Amend by striking out all after the enacting clause, printed bill, and inserting in lieu thereof the following:

SECTION 1. Section 756 of the Political Code of the State of California is hereby amended to read as follows:

"Section 756. The annual salary of the chief deputy clerk of the Supreme Court shall be \$2,400; the annual salary of each of the deputy clerks of the Supreme Court shall be \$1,800; the annual salary of the stenographer of the Clerk of the Supreme Court shall be \$1,200. The salaries of the chief deputy clerk, the deputy clerks, and the stenographer of the Clerk of the Supreme Court shall be paid out of the State Treasury, in the same manner and at the same time as the salaries of other State officers are paid."

SEC. 2. This Act shall take effect and be in force from and after its passage.

Amendment adopted.

Assembly Bill No. 287 ordered to print and reëngrossment.

Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court."

Read second time.

Mr. Belshaw moved to amend as follows:

Amend by striking out all after the enacting clause, printed bill, and inserting in lieu thereof the following:

SECTION 1. Section 751 of the Political Code of the State of California is hereby amended to read as follows:

"Section 751. There shall be appointed by the Clerk of the Supreme Court, a chief deputy clerk and five deputy clerks of the Supreme Court, and a stenographer of the Clerk of the Supreme Court. The chief deputy clerk of the Supreme Court shall be civil executive officer."

SEC. 2. This Act shall take effect and be in force from and after its passage.

Amendment adopted.

Assembly Bill No. 288 ordered to print and reengrossment.

COMMUNICATION AND CERTIFICATE.

IN RE MILTON J. GREEN CONTEMPT PROCEEDINGS.

SACRAMENTO, January 27, 1899.

This is to certify that Milton J. Green is still sick and confined to his bed, and that he has not sufficiently recovered his health to appear before the Assembly to-day.

Respectfully,

F. W. HATCH, M.D.

Mr. Johnson moved that the matter be continued until Monday, January 30, 1899, at two o'clock and thirty minutes P. M., and that the Sergeant-at-Arms ascertain of physician, when, in his opinion, said Milton J. Green will be able to appear, and report the same to this Assembly.
So ordered.

MOTION.

Mr. Barry moved that the rules be suspended, and that the Assembly do now take up second-reading file, for the purpose of considering Assembly Bill No. 44.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

Read second time.

Mr. Barry moved to amend as follows:

After the word "surveys," in line 7, page 1, of the printed bill, insert the words "or segregations."

Amendment adopted.

Assembly Bill No. 44 ordered to print and third reading.

THIRD-READING FILE.

Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354 $\frac{1}{2}$, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Clark, Cobb, Cowan, Crowder, Crowley, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally,

Knights, Knowland, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Steward, E. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—54.

NOES—Messrs. Cargill, Clough, and Wade—3.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 400—An Act to add a new Section to the Penal Code, to be known as Section 258—Relating to the publication of portraits and caricatures.

RICKARD, Chairman.

Assembly Bill No. 400 ordered on second-reading file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Belshaw: Assembly Bill No. 500—An Act to amend Section 472 of the Political Code of California, relating to Attorney-General.

Read first time, and referred to Committee on Judiciary.

By Mr. Kenneally: Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 502—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Read first time, and referred to Committee on Judiciary.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issue of search warrants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Clark, Cobb, Cowan, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feltz, Griffin, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—55.

NOES—Messrs. Brown and Clough—2.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping

the State fish hatcheries at Sisson and Price Creek—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to the Ways and Means Committee.

EUGENE SULLIVAN, Chairman.

Assembly Bill No. 326 referred to Committee on Ways and Means.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.
Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Clark, Clough, Cobb, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—63.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor.

RICKARD, Chairman.

Assembly Bill No. 136 ordered on third-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Cowan, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Bill No. 125—An Act to prevent deception in the sale of process or renovated butter.

Ordered placed at foot of third-reading file.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Passed on file.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief

Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Read third time.

Mr. Knowland moved to refer Assembly Bill No. 4 to a select committee of one, with instructions to amend as follows:

Amend by adding to Section 4, line 8, after the word "money," the following: "which in entries of the first and second class shall be."

Also: In line 13, Section 4, add the words "that in entries of the first and second class."

So ordered.

Mr. Knowland was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen— with instructions, does now report that the instructions of the Assembly have been carried out.

KNOWLAND, Committee.

Report adopted.

Assembly Bill No. 4 ordered to reëngrossment, to retain its place on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 12—Relating to an exposition of the products of the United States, the Hawaiian and Philippine Islands, and other countries, proposed to be held at the City of San Francisco, State of California, beginning May 1, 1901, and continuing to the end of the year— have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

JOHNSON, Acting Chairman.

Assembly Joint Resolution No. 12 ordered on third-reading file.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 307—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with such reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that the bill be withdrawn and the committee bill substituted therefor.

MILICE, Chairman.

Assembly Bill No. 307 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Irrigation: Assembly Bill No. 503—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with such reservoirs, providing for estimates of the cost of constructing such dams and reservoirs and appropriating money to carry out the provisions of this Act.

Read first time, and ordered on file for second reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 61, 118, and 103.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for non-user of corporate powers.

RICKARD, Chairman.

Assembly Bills Nos. 61, 118, and 103 ordered on second-reading file.

RESOLUTION—(OUT OF ORDER).

By Mr. Works:

Resolved, That it is the sense of this Assembly that lobbyists be hereafter excluded from the floor of the House, as provided by law, and be hereafter kept therefrom, and the Sergeant-at-Arms is hereby instructed to carry out the terms of this resolution.

Adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Passed on file.

At three o'clock and fifteen minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Passed on file.

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton,

Brooke, Brown, Caminetti, Clark, Clough, Cobb, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Fairweather, Feliz Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—59.
NOMS—None.

Mr. Valentine moved to amend the title so that it will read as follows:

Assembly Bill No. 61—An Act to amend an Act entitled an "Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Amendment adopted.

Assembly Bill No. 61 ordered to reengrossment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, having had under consideration Assembly Bill No. 246—Providing for the establishment and maintenance of sewer districts adjacent to municipal corporations—report the same back, with three amendments, and recommend its passage as amended.

RAW, Chairman.

Assembly Bill No. 246 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Passed on file temporarily.

At three o'clock and thirty minutes p. m., Mr. Crowder moved to adjourn.

Motion lost.

At three o'clock and thirty-five minutes p. m., the Speaker called Mr. Dibble to the chair.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Read third time.

Mr. Mack moved to refer Assembly Bill No. 118 to a select committee of one, with instructions to amend as follows:

AMENDMENT No. 1.

Amend by inserting after the word "horseshoer," on line 2 of section 1, page 1 of the printed copy of bill, the following words: "In any county of this State having a population of thirty-five thousand or more."

AMENDMENT No. 2.

Amend by striking out the words "Eureka" and "Redding," on line 22, page 2 of the printed copy of bill.

AMENDMENT No. 3.

Amend by striking out the word "Bakersfield," on line 22, page 2 of the printed bill.

AMENDMENT No. 4

Amend by inserting after the words "San José," on line 23, page 2 of the printed amended bill the words "Oakland," "Santa Rosa," and "Stockton."

So ordered.

Mr. Mack was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

MACK, Committee.

Report adopted.

Mr. Cowan moved to refer Assembly Bill No. 118 to a select committee of one, with instructions to amend as follows:

Amend by striking out the words "within six months" on lines 28 and 29, page 2.
Also: By striking out the following words: "preceding the passage of this Act," on lines 31 and 32, page 2, and inserting in lieu thereof the following: "prior to his application."

So ordered.

Mr. Cowan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

COWAN, Committee.

Report adopted.

Assembly Bill No. 118 ordered to reëngrossment, to retain its place on file.

Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caninetti, Cargill, Clark, Clough, Cobb, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Stewart, Valentine, Wade, Wardell, and Works—55.

NOES—None.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses

of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the *Estates of Deceased Persons Fund* to the *State School Land Fund* the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest bearing bonds, to be held in trust for the benefit of the *State School Fund*.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the bay of San Diego.

Passed on file.

Assembly Bill No. 136 —An Act providing for the crection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radchiff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—61.

NOES—Mr. Meserve—1.

Title read and approved.

Assembly Bill No. 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publishing of portraits and caricatures.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boynton, Brooke, Brown, Caminetti, Clark, Cobb, Conrey, Cowan, Crowder, Devoto, Dibble, Dunlap, Fairweather, Glenn, Henry, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, and Works—43.

NOES—Messrs. Anderson, Bliss, Boone, Clough, Feliz, Griffin, Hanley, Hoey, Jilson, Marvin, Mead, Stewart, Wade, and Wardell—14.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Cowan gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 400 was this day finally passed.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee as follows:

By Mr. Fairweather: Assembly Bill No. 504—An Act to amend Sections 21, 22, 26, 28, 42, and 57 of "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for irrigation, etc.," approved March 31, 1891.

Read first time, and referred to Committee on Irrigation.

THIRD-READING FILE—(RESUMED).

Assembly Bill 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for nonuser of corporate powers.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Bliss, Blood, Boone, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowly, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Works—58.
NOES—None

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Knights:

Resolved, That the draperies and flags left in the Assembly Chamber from the inaugural ball decorations be removed, and the owner thereof is hereby requested to remove the same.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowly, De Lancia, Devoto, Dibble, Dunlap, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Sullivan, Valentine, Wade, Wardell, White, and Works—55.
NOES—None.

Title read and approved.

Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

Passed on file.

Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

Read third time.

Mr. Cowan moved to amend the bill by striking out the enacting clause.

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Clark, Cobb, Cowan, Crowder, Crowly, De Lancie, Dibble, Dunlap, Feliz, Glenn, Griffin, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, and Works—49.

NOES—Messrs. Boone, Conrey, Devoto, Meserve, E. D. Sullivan, and White—6.

Title read and approved.

Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Barry, Beecher, Boone, Boynton, Brooke, Brown, Caminetti, Clough, Cobb, Conrey, Cowan, Crowder, Crowly, De Lancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—55.

NOES—None.

Title read and approved.

Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Barry, Beecher, Blood, Boone, Boynton, Brooke, Brown, Cobb, Conrey, Crowder, Crowly, De Lancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milce, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Works—46.

NOES—None.

Title read and approved.

Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Atherton, Beecher, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Conrey, Crowder, Crowly, De Lancie, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Mack, Marvin, McDonald of Alameda,

McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and White—56.
Notes—Mr. Clough—1.

Title read and approved.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Passed on file.

Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Passed on file.

Assembly Bill No. 174—An Act for the relief of District Agricultural Associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens for mechanics and others upon real property.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "three," in line 124, page 4, of printed bill, and insert in lieu thereof the word "one."

Amendment adopted.

AMENDMENT No. 2.

Strike out the figures "\$3,000" and the parentheses inclosing the same in line 124, page 4, of the printed bill.

Amendment adopted.

Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California,"

approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

The following committee amendment was submitted:

Amend by striking out the words "a proposed," on line 1 of title, first page, printed bill, and inserting in lieu thereof "an."

Amendment adopted.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, for the purpose of considering Assembly Bill No. 249.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 249 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act—and do now report the same back, with amendments, and recommend that the same do pass as amended.

DIBBLE, Chairman.

Report adopted

Assembly Bill No. 249 ordered to engrossment and third reading.

Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, pilot commissioners, and pilotage.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend on line 13, page 1, printed bill, after the word "thereof," by inserting the following: "and of each vessel for which pilotage has been charged or collected, and the amount charged to, or collected, from each and any rebates made and allowed, and the amounts thereof."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the words "received for pilotage it" after the word "amount," on line 15, page 2, printed bill, and inserting in lieu thereof the following: "so received, collected, or charged."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend on line 16, page 2, printed bill, as follows: After the word "account" insert the words "in full detail."

Adopted.

Assembly Bill No. 121 ordered to engrossment and third reading.

Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled

"An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

The following committee amendments were submitted:

By Mr. Devoto:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the words "at the same time and in the same manner as now required by Section 1194 of said Political Code to mail sample ballots," on lines 27, 28, and 29, page 2, printed bill, and inserting in lieu thereof the following: "at least twenty days before the day of election at which amendment, or amendments, or proposition is to be voted on."

Amendment adopted.

By Mr. Clark:

COMMITTEE AMENDMENT No. 2.

Amend by striking out the words after the word "required" on line 31, page 2 printed Assembly Bill No. 166, and inserting in lieu thereof the following: "or authorized."

Amendment adopted.

Assembly Bill No. 166 ordered to engrossment and third reading.

RECESS.

At five o'clock and five minutes p. m., on motion of Mr. Johnson, the Assembly took a recess until five o'clock and fifteen minutes p. m.

REASSEMBLED.

At five o'clock and twenty minutes p. m., the Assembly reconvened.
Mr. Dibble in the chair.

REPORT OF ASSEMBLY SPECIAL COMMITTEE ON INVESTIGATION OF THE METHODS
EMPLOYED IN THE ELECTION OF A UNITED STATES SENATOR.

MR. SPEAKER: Your Special Committee on Investigation beg leave to report that on the 16th day of January, 1899, the Assembly duly passed the following resolution:

By Mr. Johnson:

"WHEREAS, Direct charges have been made that improper means have been used to influence the action of Hon. Howard E. Wright, a member of and Speaker of the Assembly, in the election of a United States Senator by the Legislature; and

"WHEREAS, It has been charged that some persons have used, and are using, illegal methods to influence the action of members of the Assembly in the said election; and

"WHEREAS, It has been indirectly charged that members of the Assembly have been improperly influenced in their votes for United States Senator; and

"WHEREAS, Such charges have been given wide publicity, and should be investigated to the end that if found to be true the guilty should be punished, and if found to be untrue the originators thereof should be punished; now, therefore, be it

"Resolved, That a select committee of seven members of the Assembly be appointed by the Speaker pro tem., to immediately and fully, thoroughly and carefully, investigate each and all of said charges, whether direct or indirect, and also to investigate in like manner the methods used to influence members of the Assembly in their votes for United States Senator, and that said committee have full power to send for persons, books, telegrams, and papers, and to employ a clerk and stenographer, and that it have leave to sit during the sessions of the Assembly, and that said committee report fully, as speedily as possible, with such recommendations as it may deem proper."

That immediately upon the adoption of the resolution, we entered upon our duties in that behalf, and have diligently prosecuted the inquiry to this time, holding our sittings daily and nightly.

A great number of witnesses have been examined, and a wide range of inquiry has been instituted, entering even into the domain of rumor and conjecture, that no hidden truth might escape us.

We herewith report our findings:

First.—That the Hon. Howard E. Wright, Speaker of this the thirty-third session of the Legislature of the State of California, received from Ulysses S. Grant, Jr., through his duly accredited political manager, Milton J. Green, the sum of \$900 as a contribution.

to assist him to secure his election to this Assembly; which sum of money, as testified by said Wright, was expended by the said Wright in advancing his nomination and election prior to the primaries next preceding the general State election on November 8, 1898.

Second—That the said Wright also received from the same sources the further sum of \$750 after his nomination, and preceding his election, which sum was a loan to be repaid.

Third—That the said Wright, prior to his election as Speaker of this Assembly, led John D. Spreckels and W. S. Leake, owner and manager, respectively, of the San Francisco Call, to believe that he was wholly unpledged and under no obligations relative to the election of United States Senator, and thereby secured to himself the supporting influence of the San Francisco Call in the furtherance of his candidacy for the Speakership.

Fourth—That the said Howard E. Wright secured to himself the influence of Robert N. Bulla, and his friends, in aid of his election to the Speakership, by an express promise that, if elected, he would vote for Robert N. Bulla for United States Senator.

Fifth—That the said Howard E. Wright, by the acceptance of said contribution of \$900 in aid of his election, and in the acceptance of said loan of said sum of \$750 from Ulysses S. Grant, Jr., led the said Grant to believe that if the said Howard E. Wright were elected to the Assembly he would be friendly to the candidacy of the said Ulysses S. Grant, Jr., for United States Senator.

Sixth—That the said Howard E. Wright sought and obtained the influence of Daniel M. Burns in aid of his candidacy for the Speakership in such manner as to lead the said Daniel M. Burns to expect the vote of the said Howard E. Wright after the said Daniel M. Burns had become a candidate for United States Senator, by reason of the obligations he (Wright) was under for such aid and influence.

Seventh—That in receiving said sums of money from the said Ulysses S. Grant, Jr., and in receiving such aid and assistance from the said Daniel M. Burns, there was no consideration given therefor by the said Howard E. Wright by way of an express promise to vote for either of said candidates for United States Senator.

Eighth—That the said Howard E. Wright applied to W. F. Herrin, of the Law Department of the Southern Pacific Company, for transportation mileage tickets, instead of making application to the officers of the said company, who usually sell such tickets, and that the said Howard E. Wright, on the receipt of the same, paid therefor the regulation price.

Ninth—That as to the charge that the said Howard E. Wright applied to the said W. F. Herrin for \$1,200, or any other sum of money, we are unable to obtain any evidence whatever in support thereof.

Tenth—That Milton J. Green, of San Francisco, was the duly appointed and accredited political manager of Ulysses S. Grant, Jr., of San Diego, a candidate before the Legislature for United States Senator.

Eleventh—That the said Milton J. Green had the full power to manage such candidacy in such manner and method as he might choose; and to expend such moneys as he saw fit, in any sum, and in any manner, at any places, that he might deem proper, saving and excepting that such expenditures should be legitimate, and only for legitimate purposes, as testified by the said Milton J. Green and Ulysses S. Grant, Jr.

Twelfth—That the said Milton J. Green expended large sums of money, exceeding in amount \$20,000, but the exact sum of which this committee has been unable to learn, for the reason that the said Milton J. Green refused to answer certain questions which were calculated to develop that fact, and for which refusal he now stands committed to appear before the bar of the Assembly to show cause why he should not be held for contempt.

Thirteenth—That on behalf of the said Ulysses S. Grant, Jr. the said Milton J. Green sent various sums of money, ranging in amounts from \$100 to \$500, into many of the legislative districts for the purpose of assisting in the election of a Republican Legislature.

In at least ten of such districts the Republican candidates therein had no knowledge of the money so expended in their behalf.

Fourteenth—That the said Milton J. Green, on behalf of the said Ulysses S. Grant, Jr., gave to Dan T. Cole the sum of \$500, to be expended by the said Cole in aid of the candidacy of the said Ulysses S. Grant, Jr. for United States Senator; that of the said sum of \$500 the said Dan T. Cole expended \$100 in traveling and hotel expenses for himself, and the remaining \$400 the said Cole gave to Assemblyman Jilson of the First Assembly District, which amount, as testified by the said Jilson, was expended in aid of the election of the Republican candidates for Governor, Railroad Commissioner, Justices of the Supreme Court, member of Congress, and the State Senator in the Second District, but that no part thereof was by the said Jilson expended in aid of his own candidacy.

Fifteenth—That the said Milton J. Green, for the purpose of aiding the candidacy of Ulysses S. Grant, Jr., for United States Senator, offered to Assemblyman Alden Anderson, representing the Nineteenth Assembly District, the sum of \$250, or thereabouts, to aid the said Anderson's election; which tender was by the said Anderson rejected.

Sixteenth—That in no case where the said Milton J. Green expended money in aid of the candidacy of the said Ulysses S. Grant, Jr., for United States Senator, so far as the evidence adduced shows, was a direct promise exacted from any legislative candidate into whose district money was sent, that he, the said candidate, should vote for the said Ulysses S. Grant, Jr., for United States Senator.

Seventeenth—That the moneys so expended as aforesaid by the said Milton J. Green, in aid of the candidacy of Ulysses S. Grant, Jr., were not expended through the medium of the State Central or the various County Central Committees to aid in the election of the general ticket, but were expended by the said Milton J. Green in aid of the legislative ticket, except the money expended by Assemblyman Jilson, as above set forth. However, the said Ulysses S. Grant, Jr., did make a personal contribution of \$450 to the County Central Committee of San Diego County in aid of the general ticket.

Eighteenth—That the evidence does not reveal that Daniel M. Burns, Robert N. Bulla, W. H. L. Barnes, or any other candidate for United States Senator, except as herein stated, has expended any money, promised any patronage, or threatened to withhold any patronage under their control in aid of their candidacy.

Nineteenth—That A. H. Merrill, Assemblyman, representing the Thirty-sixth District, solicited Daniel M. Burns to use his influence to secure two railroad tickets from W. F. Herrin, Chief Counsel of the Southern Pacific Company, for the use of a friend who had assisted said Merrill in his candidacy for the Assembly. That said Daniel M. Burns did purchase said tickets for the friend of said Assemblyman Merrill, and a few days thereafter paid the said Herrin \$132.50 for the same. It is testified to by the said Merrill and the said Burns that the said tickets were purchased and paid for only as an act of charity and fraternal obligation.

Twentieth—In the case of Assemblyman E. T. Cosper, the testimony shows that Charles G. Lamberson, an attorney of Visalia, in talking with Milton J. Green, suggested as others were making a money fight perhaps he (Green) had better offer Cosper five or six thousand dollars. The testimony further shows that this intimation was made wholly without the knowledge or consent of said Cosper, and was flatly refused and rebuked by Green. The testimony further shows that said Cosper is wholly exonerated from the intimation of improper influences.

That in view of the above findings of fact, your committee concludes and recommends:

First—That the conduct of Howard E. Wright, Speaker of the Assembly, as above set forth, be held to be reprehensible in an extreme degree, and that no mere censure on the part of the Assembly can meet the requirements of justice.

Without recommending what shall be done in the premises, whether deposition from the Speakership or other adequate punishment, we leave the course to be pursued to the judgment of the Assembly.

Second—That the expenditure of large sums of money in aid of the candidacy of United States Senator in the manner above set forth, is wrong and reprehensible; in that it is calculated to corrupt morals, to debauch the political system, to deter poor men of ability from entering upon a Senatorial campaign, and to give to the rich an unwarranted and unjustifiable advantage over men of equal ability and qualification, but of limited means.

That the receiving of money by legislative candidates from probable Senatorial candidates, either directly or indirectly, in aid of their own candidacy, is reprehensible for the same reasons.

COSPER, Chairman.
BURNETT.
LA BAREE.
SANFORD.
LARDNER.
MELICK.

JOHN C. WRAY, Secretary.

Mr. Johnson moved that the report of the Special Committee on Investigation be made the special order of the day for to-morrow, at eleven o'clock A. M.

So ordered.

ADJOURNMENT.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, January 28, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 28, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Atherton, Barry, Beecher, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—73.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Arnerich, Bliss, Clark, Le Baron, Belshaw, and Dale were granted leave of absence until Monday.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

The Journal of Thursday, January 26, 1899, was read and approved.

Pending the reading of the Journal of Friday, January 27, 1899, the further reading was dispensed with, on motion of Mr. Dibble.

PETITIONS.

Mr. Conrey presented the following petition, with 1,420 signatures:

To the Senate and Assembly of the Legislature of California:

We, the undersigned, residents of Los Angeles County, California, respectfully ask your honorable bodies to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

A similar petition was presented by Mr. Cargill, signed by 53 residents of San Benito County.

Also: One by Mr. Burnett, signed by 40 residents of San Luis Obispo County.

Also: One by Mr. Works, signed by 22 residents of San Diego County.

Also: One by Mr. Meserve, signed by 730 residents of San Bernardino County.

Also: One by Mr. Feliz, signed by 26 residents of Monterey County.

Also: One by Mr. Milice, signed by 46 residents of Riverside County.

Also: One by Mr. Milice, signed by 1,352 residents of Orange County.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1899.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 89—An Act to add a new section to the Penal Code, said section to be designated as Section 357½, relating to the marking and branding, and the alteration or defacement of marks and brands on domestic animals.

Also: Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the marking and branding of domestic animals, and the alteration or defacement of marks and brands on domestic animals.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Judiciary.

BOYNTON, Chairman.

Assembly Bills Nos. 89 and 90 referred to Committee on Judiciary.

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: We, the members of the Committee on Public Lands and Forestry, do hereby recommend that Senate Joint Resolution No. 9 do pass.

KENNEALLY, Chairman.

Senate Joint Resolution No. 9 ordered on Senate special file.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DE LANCIE, Chairman.

Assembly Bill No. 245 ordered on second-reading file.

SUPPLEMENTARY REPORT OF INVESTIGATING COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1899.

MR. SPEAKER: Your Committee on Investigation beg leave to file the following supplementary report and correction: Finding number four should be amended to read as follows: "Fourth—That the said Howard E. Wright, according to his own testimony, promised over a year ago to vote for Robert N. Bulla for United States Senator if said Wright were a member of the Legislature and said Bulla were a candidate for United States Senator."

COSPER.
BURNETT.
SANFORD.
LA BARRE.
LARNER.
MELICK.

MOTIONS.

Mr. Dibble moved that the supplementary report be printed in the Journal, and that the special order made for eleven A. M. to-day be continued and made the special order for two o'clock and thirty minutes P. M., Monday, January 30, 1899.

Mr. Burnett moved to amend by making the time two o'clock and thirty minutes P. M. this afternoon.

Motion lost.

Mr. Brown moved to lay the motion to continue special order on the table.

Motion lost.

The question now being on the motion to continue.

The same was carried.

RESOLUTIONS.

By Mr. Dibble:

Resolved, That the State Printer be instructed to print 500 copies of the Standing Rules of the Assembly, together with the Joint Rules and standing committees.

Resolution adopted.

By Mr. Knights:

Resolved, That the Sergeant-at-Arms be and is hereby directed to purchase the flags now in the chamber, and that the sum of \$38 be appropriated out of the Contingent Fund of the Assembly in payment of the same.

Resolution adopted.

RE-REFERENCE OF BILLS.

Mr. O'Brien moved that Assembly Bill No. 4 be recalled from Committee on County and Township Governments and referred to Committee on Judiciary, and that Assembly Bill No. 498 be recalled from Committee on Municipal Corporations and referred to Committee on Judiciary.

So ordered.

SPECIAL ORDERS.

ASSEMBLY JOINT RESOLUTION No. 12.

WHEREAS, An exposition of the products and industries of the United States, the Hawaiian and Philippine Islands, and other countries, proposed to be held at the City of San Francisco, State of California, beginning May 1, 1901, and continuing to the end of the year.

Mr. Johnson moved to amend as follows:

Strike out the word "requested" and insert the word "instructed," and by striking out the word "instructed" and inserting the word "requested," as to Senators and Representatives.

Adopted.

Assembly Joint Resolution No. 12 ordered to print and reengrossment.

MOTION TO RECONSIDER.

Mr. Wade moved to reconsider the vote whereby Senate Joint Resolution No. 10 was on yesterday refused adoption.

So ordered.

SENATE JOINT RESOLUTION No. 10.

Relative to construction and ownership of Nicaragua Canal.

WHEREAS, The construction of the Nicaragua Canal would be of immense value to the people of the Pacific coast, and especially to the people of the State of California, as it would afford greater protection to this coast in time of war, open new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises everywhere within our State, and largely tend to maintain old ones, greatly increase our population, and thus enhance our wealth and multiply our resources, and establish a shorter line of oceanic communication between the United States and its possessions in the Orient; and

WHEREAS, There is now pending in the Congress of the United States a measure providing for the construction of the Nicaragua Canal by, or under the auspices of, the United States government,

Resolved by the Senate of the State of California, the Assembly thereof concurring, That our Senators in Congress be instructed, and our members of the House of Representatives of the United States be requested, to earnestly support the passage of this measure; and be it further

Resolved, That we favor the absolute ownership and control of the said Nicaragua Canal by the United States government.

Resolved, That His Excellency the Governor is hereby requested to forward to each of our Senators and Representatives in Congress a copy of this resolution.

Mr. Wade moved to amend as follows:

Amend by striking out the words "or under the auspices" on line 15, page 1, printed bill.

Adopted.

Amend by striking out the word "control" on line 4 from top of page 2, printed bill, and inserting in lieu thereof "operations."

Adopted.

Senate Joint Resolution No. 10 ordered to print and reëngrossment.

RESOLUTION.

By Mr. Johnson:

Resolved, That the State Controller be and he is hereby instructed to draw his warrant on the State Treasurer in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for the sum of \$82; and the State Treasurer is hereby directed to pay said warrant out of the Contingent Fund of the Assembly, the same being in payment for one set of Deering's Codes, one set of Deering's Digests, one set of Palm's Code slips, one set of Palm's Code Citations, as per resolution of January 17, 1899, by Mr. Johnson:

"*Resolved*, That the Sergeant-at-Arms be and he is hereby directed to purchase for the use of the Judiciary Committee: One set Deering's Codes, one Palm's Code Citations, one set Palm's Code slips, one set Deering's California Digest, last edition."

Resolution adopted.

MOTIONS TO RECONSIDER.

Mr. Cowan moved to reconsider the vote whereby Assembly Bill No. 400 was yesterday finally passed.

The question being on the motion to reconsider.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Anderson, Burnett, Conrey, Cosper, Cowan, Feliz, Griffin, Hanley, Hoey, Lardner, Melick, Merrill, Raw, Sanford, Stewart, Wade, and Wardell—17.

NOES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brown, Caminetti, Clough, Cobb, Crowder, De Lancie, Dibble, Dunlap, Glenn, Henry, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lundquist, Mack, McDonald of Tuolumne, McKeen, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, White, and Works—41.

Mr. Raw moved to reconsider the vote whereby Assembly Bill No. 85 was on yesterday finally passed.

The question being on the motion to reconsider.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Brooke, Brown, Crowder, Glenn, Lardner, Merritt, Radcliff, Raw, and Valentine—9.

NOES—Messrs. Anderson, Atherton, Barry, Beecher, Blood, Boone, Boynton, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowley, De Lancie, Dunlap, Feliz, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Works—49.

At eleven o'clock and fifty-five minutes A. M., the Speaker resumed the chair.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 28, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Also: Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States volunteer service, also the expenses incurred in reorganizing the National Guard and to result therefrom, and making an appropriation to pay the same.

L. J. BRANDON, Secretary.
By F. L. THOMAS, Assistant.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Read first time, and referred to Committee on Claims.

Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Read first time, and referred to Committee on Claims.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Mead: Assembly Bill No. 505—An Act to provide for the employment of the needy unemployed and of vagrants under sentence.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Raub: Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State Hospitals for the Insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Feliz: Assembly Bill No. 507—An Act to amend Section 1880 of the Political Code of the State of California, relating to the issue of bonds of school districts.

Read first time, and referred to Committee on Judiciary.

By Mr. Devoto: Assembly Bill No. 508—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Read first time, and referred to Committee on Judiciary.

By Mr. Knights: Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and

directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Read first time, and referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 510—An Act to regulate the purchase, sale, and transfer of stocks of goods, wares, and merchandise, in bulk.

Read first time, and referred to Committee on Judiciary.

By Mr. Valentine: Assembly Bill No. 511—An Act to amend Sections 2, 10, and 11 of an Act entitled "An Act to regulate the practice of medicine in the State of California," approved April 3, 1876, as amended April 1, 1878.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Jilson: Assembly Bill No. 512—An Act for the establishment of a uniform system of road government and administration in the counties of the State of California.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Huber: Assembly Bill No. 513—An Act entitled "An Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as the slot machine, within the State of California.

Read first time, and referred to Committee on Public Morals.

By Mr. Clough: Assembly Bill No. 514—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 515—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 516—An Act to change and permanently locate the boundary line between the counties of Plumas and Tehama.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 517—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 518—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Melick: Assembly Bill No. 519—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work and public printing.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 520—An Act to amend Section 1775 of the Political Code, relating to County Boards of Education.

Read first time, and referred to Committee on Education.

By Mr. Dunlap: Assembly Bill No. 521—An Act to protect the health of consumers, and making an appropriation therefor.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Merritt: Assembly Bill No. 522—An Act making an appropriation to pay the claim of the Union Mill Company for services in constructing a refrigerator for the Southern California Asylum for the Insane and Inebriated.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 523—An Act to establish free public museums for educational purposes.

Read first time, and referred to Committee on Education.

By Mr. Dunlap: Assembly Bill No. 524—An Act relating to the sale of wines and liquors and the maintenance of saloons, and places where wines and liquors are sold by retail for consumption on the premises.

Read first time, and referred to Committee on Public Morals.

By Mr. Crowder: Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Read first time, and referred to Committee on Claims.

By Mr. Barry: Assembly Bill No. 526—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to appointment of special administrators of the estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 527—An Act authorizing the Boards of Supervisors of all counties in this State to refund the indebtedness of said county, to issue bonds therefor, and to provide for the payment of the same.

Read first time, and referred to Committee on County and Township Governments.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 28, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Howard E. Wright, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Anderson, Atherton, Barry, Beecher, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancey, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—70.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, January 27, 1899. The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, January 27, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Laird, Leavitt, Shortridge, and Wolfe—6.
For U. S. Grant, Jr—Senators Boyce, Cutter, Jones, Muggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senator Rowell—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Hall, La Rue, Pace, and Sims—9.

Whole number of votes cast by Senators.....	33
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	6 votes.
U. S. Grant, Jr., received.....	7 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	1 vote.
Stephen M. White received.....	9 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, and Lardner—5.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—8.

For D. M. Burns—Messrs. Barry, Beecher, Cobb, Dibble, Jilson, Johnson, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—15.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Crowder, De Lancia, Greenwell, Huber, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—15.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Burnett, Caminetti, Cowan, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and White—17.

For John Rosenfeld—Mr. Crowley—1.

For H. C. Gesford—Mr. Wardell—1.

Whole number of votes cast by Assemblymen.....	66
W. H. L. Barnes received.....	5 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	8 votes
D. M. Burns received.....	15 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	15 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	17 votes
John Rosenfeld received.....	1 vote.
H. C. Gesford received.....	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	99
Necessary to a choice.....	50
W. H. L. Barnes received.....	9 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	12 votes.
D. M. Burns received.....	21 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	22 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Thomas R. Bard received.....	1 vote.
Stephen M. White received.....	26 votes.
H. C. Gesford received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., Senator Cutter moved that the Joint Assembly do now adjourn until Monday, January 30, 1899.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Monday, January 30, 1899.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and thirty-five minutes P. M., the Assembly reconvened.

Speaker Wright in the chair.

ADJOURNMENT.

At twelve o'clock and forty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until Monday, January 30, 1899, at nine o'clock and thirty minutes A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 30, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—70.

Quorum present.

LEAVE OF ABSENCE.

Mr. Caminetti was granted leave of absence, on motion of Mr. Mead.

Mr. Knights was granted leave of absence for the morning, on motion of Mr. Valentine.

Mr. Dale was granted leave of absence for the day, on motion of Mr. Works.

Mr. Hanley was granted leave of absence for the day, on motion of Mr. Crowley.

READING OF JOURNAL.

On motion of Mr. Dibble, the reading of the Journal of Saturday, January 28, 1899, was dispensed with.

COMMUNICATION AND RESIGNATION.

SACRAMENTO, January 30, 1899.

To the Assembly, Thirty-third Session California Legislature, and to the Secretary of State:

GENTLEMEN: In view of the circumstances attending the recent investigation and the report of the select committee (now familiar to the Assembly), I deem it due to myself and to the Assembly to present this communication.

I feel that in many respects the findings and conclusions of the committee are unjust and unwarranted by the evidence.

It cannot be asserted that I ever denied to any one a single fact sustained by the testimony.

It is due to me to say that I freely and frankly stated all of the facts that are alleged by the committee to be censurable.

It is not pretended by any one, nor do I admit for a moment, that I have been guilty of any crime; I therefore repeat that I feel that the committee has done me a grave injustice.

Nevertheless, as shown by the report of the committee, it appears that some members of the Assembly suggested that I ought not to continue to preside as Speaker. I do not wish to do so for that reason.

Therefore, thanking the members of the Assembly for their kindness and courtesy in the past, I now tender my resignation as Speaker, and ask that it be accepted at once.

HOWARD E. WRIGHT.

Mr. Dibble moved that the Speaker's communication be made the special order for to-day at two o'clock P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 396—An Act to provide for special funds for the payment of teachers' salaries in the school districts of the State—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend the passage of the substitute.

DE LANCIE, Chairman.

INTRODUCTION OF BILL.—(OUT OF ORDER.)

The following bill was introduced, read first time, and referred to committee as follows:

By Committee on Education: Assembly Bill No. 528 (Substitute for Assembly Bill No. 396)—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto.

Read first time, and ordered on second-reading file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 261, 53 (reengrossed), 132, 61 (reengrossed), 30, 96, 98, and 207.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Assembly Bill No. 53—An Act to provide for the reorganization of municipal corporations, and for determining the population thereof.

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens for mechanics and others upon real property.

Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

MILICE, Acting Chairman.

Assembly Bills Nos. 261, 53, 132, 61, 30, 96, 98, and 207 ordered on second-reading file.

PETITION.

Mr. Brooke presented the following petition:

SAN FRANCISCO, January 27, 1899.

To the Assembly of the California Legislature :

GENTLEMEN: Representing the officers and committees of the California Associated Cycling Clubs of California, in special council assembled this day, the undersigned, largely interested in cycling interests, and especially the friends of good roads, having examined Assembly Bill No. 392, providing permissively for side paths for wheeling and for use of pedestrians, cordially approve the same, and pray the honorable the Legislature of California to enact it into law. And your petitioners will ever pray.

Paul M. Nippert, President C. A. C. C.; Charles Albert Adams, Executive Committee, Chairman Rights and Privileges Committee, C. A. C. C.; Robert W. Neal, Chairman Recruiting and Local Organization; W. J. Loos, Chairman Road and Track Racing, C. A. C. C.; Edwin Goeller, Recruiting and Local Organization Committee; Stanley G. Scovern, Secretary California Associated Cycling Clubs; T. D. Whitman, Second Vice-President; R. M. Welch, member of Executive Committee; J. F. Hancock, member of Track and Road Racing Committee; Leon Carrau, Touring Committee, C. A. C. C.; J. A. Woodson, Chairman Highways Committee, C. A. C. C.; J. B. Lamkin, member of Track Racing and Records Committee.

MOTION.

Mr. Dibble moved that the rules be suspended and that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Passed on file.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 91—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, p. 26), relating to assessing and collecting said taxes.

Read second time.

The following committee amendment was submitted:

Strike out the word "from," in middle of line 5 of Section 9, and insert the word "for."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 286—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Boards of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 301—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by amending Sections 1 and 2 thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 302—An Act to provide for the ownership of property, and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act; and liens on property in certain cases arising under this Act.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the words "and if the said expenses or any part thereof remain unpaid, they may be recovered by the person incurring the same of the owner of said animal in any action thereof," where they occur in lines 28, 29, 30, and 31 of Section 5, page 4 of printed bill.

Amendment adopted.

AMENDMENT No. 2.

After the word "any," in line 6, Section 6, page 4 of the printed bill, insert the word "city" and a comma.

Amendment adopted.

AMENDMENT No. 3.

After the word "the," at the end of line 12 of Section 6, page 4 of the printed bill, insert the word "city" and a comma.

Amendment adopted.

Assembly Bill No. 5 ordered to engrossment and third reading.

Assembly Bill No. 32—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 165—An Act to amend Section 1104 of the Civil Code of the State of California, relating to transfers of property.

Passed on file.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 250—An Act to amend Section 3608 of the Political Code of the State of California, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections 3609 and 3610; also, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

Read second time, ordered to engrossment and third reading, and to take its place on the Assembly special file.

Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any State prison or State reformatory, or within the grounds of such institution, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Passed on file.

Assembly Bill No. 365—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the State of California, or any political subdivision thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor and to appropriate money to enforce the same.

Read second time.

The following amendments were offered:

AMENDMENT No. 1.

Amend Section 1, line 16 of printed bill, by inserting the word "matter" after the word "saccharine."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1, line 18 of printed bill, by inserting the word "matter" after the word "saccharine," and before the word "apprehensible."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 2, line 10 of printed bill, by inserting the word "saccharine" after the word "alum."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 8, line 4 of printed bill, by changing the words "one hundred" to read "fifty."

Amendment adopted.

AMENDMENT No. 5.

Amend Section 8, line 4 of printed bill, by changing the words "five hundred" to read "two hundred and fifty."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 8, lines 5 and 6 of printed bill, by changing the words "five hundred" to read "two hundred and fifty."

Amendment adopted.

AMENDMENT No. 7.

Amend Section 8, line 6 of printed bill, by changing the words "one thousand" to read "five hundred."

Amendment adopted.

AMENDMENT No. 8.

Amend Section 8, line 8 of printed bill, by striking out the words "the second" and inserting in lieu thereof the words "each subsequent."

Amendment adopted.

AMENDMENT No. 9.

Amend Section 9, line 2 of printed bill, by inserting the word "analyze" after the word "in."

Amendment adopted.

AMENDMENT No. 10.

Amend Section 9, line 2 of printed bill, by changing the word "through" to read "by."

Amendment adopted.

Assembly Bill No. 155 ordered to engrossment and third reading, and referred to Committee on Ways and Means.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Men-

docino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Passed on file.

Assembly Bill No. 373—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 181—An Act to provide for vacation and closing up of any park, plaza, public square, or other public reservation not belonging to the State, and not situated within any municipality.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Committee on Public Lands and Forestry has seen fit to amend by striking out the words "to be designated by the board, published in the county, and of general circulation in the vicinity of such park, plaza, public square, or public reservation," on line 6, page 2 of printed bill, and inserting in lieu thereof the following: "of general circulation, published nearest the location of such park, piazza, public square, or public reservation."

Amendment adopted.

AMENDMENT No. 2.

Amend by making the title read as follows: "An Act to provide for vacating and closing up any park, plaza, public square, or other public reservation not belonging to the United States or the State of California and not situated within any municipality.

Amendment adopted.

Bill ordered to engrossment and third reading.

Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Read second time.

The following committee amendment was submitted:

Amend by striking out all of lines 15, 16, and 17, in Section 3 of printed bill.

Amendment adopted.

Bill ordered to engrossment and third reading.

Assembly Bill No. 222—An Act to amend Section 3010 of the Political Code of the State of California, relating to salaries of officers and employes of the Board of Health.

Passed on file.

Assembly Bill No. 223—An Act to amend Section 3009 of the Political Code of the State of California, to read as follows, relating to the appointment of certain officers and employes of the Board of Health.

Passed on file.

Assembly Bill No. 156—An Act for protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Referred back to Committee on Public Health and Quarantine, and to retain place on file.

Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

Referred back to Committee on Public Health and Quarantine, and to retain place on file.

Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, line 6, by striking out all on said line 6 after the word "thereof" and inserting in lieu thereof the following: "to publish for ten days in some daily paper in the nearest municipal corporation, or if there is no daily paper, then to publish weekly for two successive weeks in a weekly paper published in the nearest municipality a notice of such petition and a description of the exterior boundaries of the district so proposed. If within twenty days after the last such publication a protest containing the signatures of the owners of a majority of the assessed valuation of the property within such district shall be filed with said Board of Supervisors, then said petition shall be denied, and no part of such district shall be included within any sewer district formed within six months thereafter. If no such protest be filed as herein provided, then at the expiration of the twenty days allowed for such protest it shall be the duty of the said Board of Supervisors to declare such district a sewer district."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 4, line 12 of the printed bill, by inserting at the end of said line 12 the words "said Board of Supervisors and."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 4, line 15, printed bill, by inserting at the end of said line 15 the words "said Board of Supervisors and."

Amendment adopted.

Assembly Bill No. 246 ordered to engrossment and third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee as follows:

By Mr. Boone: Assembly Bill No. 529—An Act to add a new section to the Penal Code of this State, relating to the preservation of game.

Read first time, and referred to Committee on Fish and Game.

RECESS.

At eleven o'clock and forty-five minutes A. M., on motion of Mr.

Dibble, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker pro tem. Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 30, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker pro tem. of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—89.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—74.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, January 28, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker pro tem. of the Assembly announced that the proceedings of the Joint Assembly of Saturday, January 28, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Brauhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, and Sims—10.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Thomas R. Bard received	2 votes.
Stephen M. White received	10 votes.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knowland, Lardner, and Muenster—6.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Bree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milhee, Radcliff, Raub, Raw, and Works—20.
For Irving M. Scott—Mr. Dunlap—1.
For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Glenn, Griffin, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—17.
For Marion De Vries—Mr. Brooke—1.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	6 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	17 votes.
John Rosenfeld received	1 vote.

The Speaker pro tem. of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	111
Necessary to a choice	56
W. H. L. Barnes received	10 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Thomas R. Bard received	2 votes.
Stephen M. White received	27 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Senator Cutter moved that the Joint Assembly do now adjourn until Tuesday, January 31, 1899.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, January 31, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker pro tem. Anderson in the chair.

SPECIAL ORDER.

The resignation of the Hon. Howard E. Wright.

RESOLUTION.

By Mr. Dibble:

Resolved, That the resignation of Hon. Howard E. Wright as Speaker of the Assembly be accepted; that his letter tendering his resignation be printed in the Journal, and that the original be filed by the Chief Clerk of the Assembly in the office of the Secretary of State.

Resolution adopted.

Mr. Dibble moved that the Assembly do now proceed to the election of a Speaker.

So ordered.

At two o'clock and fifteen minutes P. M., the Speaker pro tem. called Mr. Belshaw to the chair.

ELECTION OF SPEAKER.

Mr. Dibble nominated the Hon. Alden Anderson of Solano County.

Mr. Melick seconded the nomination of Mr. Anderson.

Mr. Sanford nominated the Hon. Wm. Mead of Los Angeles.

The roll was called, with the following result:

For Alden Anderson—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowder, De Lancia, Devoto, Dibble, Dunlap, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, White, and Works—55.

For Wm. Mead—Messrs. Anderson, Boone, Brooke, Burnett, Cowan, Crowley, Fairweather, Feliz, Glenn, Griffin, Hoey, Mack, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and Wardell—18.

The Hon. Alden Anderson was declared elected.

Mr. Works moved that a committee of three be appointed by the Chair to escort Mr. Anderson to the chair.

So ordered.

The Chair appointed Messrs. Works, Johnson, and Mead.

Mr. Anderson appeared and subscribed to the following oath of office, and took the chair:

OATH OF OFFICE.

I do swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Speaker of the Assembly for the Thirty-third session, according to the best of my ability. So help me God.

ALDEN ANDERSON.

Subscribed and sworn to before me this 30th day of January, A. D. 1899.

JOSEPH W. HUGHES,
Judge of the Superior Court of Sacramento County, Cal.

COMMUNICATION AND RESIGNATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1899.

To the Assembly

I hereby tender my resignation as Speaker pro tem. of the Thirty-third session of the Assembly.

ALDEN ANDERSON.

Mr. Dibble moved that the resignation be accepted.

So ordered.

Mr. Dibble moved that the Assembly do now proceed to the election of a Speaker pro tem.

So ordered.

Mr. Radcliff nominated the Hon. F. E. Dunlap, of San Joaquin County.

Mr. E. D. Sullivan nominated the Hon. F. B. Glenn, of Glenn County.

The roll was called, with the following result:

For F. E. Dunlap—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancia, Devoto, Dibble, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—56.

For F. B. Glenn—Messrs. Boone, Brooke, Burnett, Crowley, Fairweather, Feliz, Griffin, Hoey, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

The Hon. F. E. Dunlap was declared elected.

Mr. Radcliff moved that a committee of three be appointed to escort Mr. Dunlap to the Speaker's desk to take the oath of office.

So ordered.

Mr. Dunlap appeared and subscribed to the following oath of office:

OATH OF OFFICE.

I do swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and I will faithfully discharge the duties of the office of Speaker pro tem. of the Assembly, Thirty-third session, according to the best of my ability. So help me God.

F. E. DUNLAP.

Subscribed and sworn to before me this 30th day of January, A. D. 1899.

JOSEPH W. HUGHES,

Judge of the Superior Court of Sacramento County, Cal.

COMMUNICATION AND CERTIFICATE.

IN RE MILTON J. GREEN CONTEMPT PROCEEDINGS.

SACRAMENTO, January 30, 1899.

To HON. ALDEN ANDERSON, *Speaker pro tem. of the Assembly*:

This is to certify that Milton J. Green is still confined to his bed by sickness and is unable to appear before the Assembly to-day.

I further certify that in my opinion he will be able to appear before your honorable body the latter part of the week, probably by Friday.

Very respectfully,

F. W. HATCH, M.D.

On motion of Mr. Johnson, the matter was continued until Friday, February 3, 1899, at two o'clock and thirty minutes P. M.

RESOLUTIONS.

By Mr. Dibble:

WHEREAS, The special committee of investigation of the methods employed in the election of a United States Senator has made its report to the House;

Resolved, First—That the said report be and the same is hereby adopted and approved;

Second—That the said special committee be and the same is hereby continued for the purpose of receiving answers from the witness Milton J. Green, and for dealing with the said witness in due and proper manner in case he persists in his refusal to answer the questions heretofore propounded to him, or shall answer the said questions.

At three o'clock and forty minutes P. M., the Speaker called Mr. Valentine to the chair.

Mr. Belshaw moved to amend by striking out the word "first" in the fourth line; also, change the semicolon at end of fifth line to a comma, and add the words, "as a partial report"; also, strike out all of Section 2.

Mr. Works moved to substitute the following for the whole:

Resolved, That the report of the Committee on Investigation be received and adopted and that the committee be and hereby is discharged.

The ayes and noes were demanded by Messrs. Johnson, Cowan, and Burnett.

The roll was called, and the substitute lost by the following vote:

AYES—Messrs. Blood, Cargill, Cosper, Crowder, De Lancie, Huber, Le Baron, Lardner, McDonald of Alameda, Melick, Merritt, Milice, Raw, Wade, and Works—15.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boone, Boynton, Brooke, Brown, Burnett, Chynoweth, Clough, Cobb, Conrey, Cowan, Crowly, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Mr. Speaker—58.

Mr. Burnett offered the following as a substitute for the original.

Resolved, That the report of the Special Investigation Committee be and it is hereby adopted; and be it further

Resolved, That the Special Investigation Committee be instructed to investigate and report what other members, if any, of the Assembly accepted financial aid during

the last campaign from any Senatorial candidate, and whether such financial aid was accepted with the express or implied understanding that their votes for Senator were thereby pledged to the candidate furnishing such financial aid.

The roll was called, and the substitute lost by the following vote:

AYES—Messrs Boone, Brooke, Brown, Burnett, Chynoweth, Conrey, Cowan, Crowder, Crowly, Fairweather, Feliz, Glenn, Griffin, Hoey, Jilson, Johnson, Knowland, Le Baron, Mack, McDonald of Alameda, Mead, Meserve, Milice, Muentner, O'Brien, Radcliff, Sanford, Stewart, E. D. Sullivan, Wardell, and White—31.

NOES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Cargill, Clough, Cobb, Cosper, De Lancie, Devoto, Dibble, Greenwell, Henry, Huber, Kelsey, Kenneally, La Barea, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Works, and Mr Speaker—40.

Mr. Dibble accepted the amendment as offered by Mr. Belshaw, and the resolution, as thus amended, was adopted.

At three o'clock and fifty-five minutes p. m., the Speaker resumed the chair.

By Mr. Burnett:

Resolved by the Assembly of the State of California (two thirds of all the members elected to the same concurring), That Howard E. Wright, a member of the Assembly representing the Fifty-first Assembly District of the State of California therein, be and he is hereby expelled, and his seat in said Assembly is hereby declared vacant.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Boone, Brooke, Burnett, Fairweather, Feliz, Glenn, Mack, Sanford, Wardell, and White—10.

NOES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, De Lancie, Devoto, Dibble, Dunlap, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, Works, and Mr Speaker—61.

Mr. Johnson spoke to a question of personal privilege, as to statements published in the San Francisco Call.

Messrs. Cowan, Radcliff, and McDonald of Alameda also spoke to the same question.

Mr. Dibble moved that the Assembly do now take up Senate messages. So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 30, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4—Relative to the appointment of committees to draft resolutions to the memory of the late Hon. John Boggs.

In accordance with the foregoing, the following committee was appointed: Senators Dickinson, Sims, and Davis.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

SENATE CONCURRENT RESOLUTION No. 4.

WHEREAS, In the disposition of Divine Providence, a sad duty has this day fallen to our lot, arising from the death of our esteemed colleague, Hon. John Boggs; therefore, be it

Resolved by the Senate, the Assembly concurring, That the President of the Senate appoint three members of the Senate and the Speaker of the Assembly appoint three members of the Assembly, to act as a joint committee to draft suitable resolutions in memory of our late honored and esteemed colleague, Hon. John Boggs.

Adopted.

Mr. Dibble moved that the Speaker appoint a committee of three, under Senate Concurrent Resolution No. 4.

So ordered.

The Speaker appointed Messrs. Glenn, Caminetti, and Kelsey.

RESOLUTION.

By Mr. Sanford:

Resolved, That when the Assembly adjourns to-day, it do so out of respect to the late Senator John Boggs, of the Eighth Senatorial District.

On motion, the resolution was adopted by a rising vote.

ADJOURNMENT.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, January 31, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 31, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

Mr. Clark was granted a leave of absence for the day, on motion of Mr. Kelsey.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNAL.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Huber.

The Journal of Saturday, January 29, 1899, was read and approved.

PETITIONS.

The following, signed by 1,420 residents of San Luis Obispo County, was presented by Mr. Burnett:

To the Senate and Assembly of the Legislature of California:

We, the undersigned, residents of the County of San Luis Obispo, California, respectfully ask your honorable bodies to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

Also: One by Mr. Lardner, relative to an Act to prevent stone cutting by inmates of state prisons, signed by 430 citizens and stonemen of Placer County.

Also: One by Mr. Burnett, requesting passage of proposed Constitutional Amendment No. 6—Relative to the exemption from taxation of churches, chapels, and real property on which they are situated—signed by 20 citizens of Watsonville, in Santa Cruz County, California.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: We, the undersigned committee, appointed on behalf of the Assembly to meet a like committee from the Senate, under and in pursuance to Senate Concurrent Resolution No. 4, of which the following is a copy, viz:

SENATE CONCURRENT RESOLUTION No. 4.

WHEREAS, In the disposition of Divine Providence, a sad duty has this day fallen to our lot, arising from the death of our esteemed colleague, Hon. John Boggs; therefore, be it

Resolved by the Senate, the Assembly concurring, That the President of the Senate appoint three members of the Senate and the Speaker of the Assembly appoint three members of the Assembly, to act as a joint committee to draft suitable resolutions in memory of our late honored and esteemed colleague, Hon. John Boggs.

Do now report, and recommend the adoption of the following:

Resolved by the Assembly of the State of California, That the announcement of the death of Hon. John Boggs, late State Senator of California, has been received by this body with profound sorrow and regret.

That in his death the State of California has lost a distinguished Senator and a diligent, faithful, and patriotic public servant, whose unstained integrity, exalted intelligence, steadfast devotion, and unswerving loyalty to her interests have rendered his name a household word and have earned for him a warm place in the hearts of every true Californian.

That the Assembly deeply sympathizes with the bereaved family in the loss of a true and affectionate husband and a kind and indulgent father.

That the Speaker of the Assembly appoint a committee of five to attend the funeral, of which committee it is the sense of the Assembly that he be a member.

That, as an additional mark of respect, when the Assembly adjourns to-day, it will do so out of respect to the memory of deceased.

That the Speaker of the Assembly is directed to transmit to the family of the deceased a copy of these resolutions.

KELSEY,
GLENN,
Committee.

Read and unanimously adopted.

COMMITTEE APPOINTED.

The Speaker appointed as select committee, under Senate Concurrent Resolution No. 4, Messrs. Dunlap, Belshaw, Sanford, Caminetti, and Glenn.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 399—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by

amending Section 10 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAUB, Acting Chairman.

Assembly Bills Nos. 399 and 291 ordered on second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: Your Committee on Judiciary having had under consideration Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the marking and branding of domestic animals and the alteration and defacement of marks and brands on domestic animals.

Also: Assembly Bill No. 393—An Act to secure to native sons and naturalized citizens of the United States the exclusive right to labor on public works in this State.

Report the same back, and recommend their passage

Also: Assembly Bill No. 358—An Act to amend Section 407 of the Code of Civil Procedure of the State of California, relating to summons—report the same back, and recommend its passage, with one amendment.

Also: Assembly Bill No. 357—An Act to amend Section 844 of the Code of Civil Procedure, relating to summons in the Justices' Court—report the same back, with two amendments, and recommend its passage as amended.

Also: Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Also: Assembly Bill No. 348—An Act to amend Sections 1 and 2 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Also: Assembly Bill No. 28—An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate.

Also: Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Also: Assembly Bill No. 352—An Act relating to the disposition of money belonging to deceased inmates of public institutions supported in whole or in part by State aid, and under the control of boards appointed by the Governor.

Also: Assembly Bill No. 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire-escapes on school buildings.

Also: Assembly Bill No. 444—An Act to amend Section 1444 of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

Report the same back, and recommend their passage.

Also: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1886, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State—report the same back, with three amendments, and recommend its passage as amended.

Also: Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties for the collection of taxes—report the same back, with three amendments, and recommend its passage as amended.

JOHNSON, Chairman.

Assembly Bills Nos. 90, 393, 358, 357, 354, 348, 28, 465, 352, 420, 444, 138, and 247 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1899.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the two weeks ending January 28, 1899, as follows:

Bills have been referred to this committee as follows:

Jan. 16, Assembly Bill No. 62—To pay expense of sending an exhibit to Paris Exposition in 1900.....	\$150,000 00
17, Assembly Bill No. 105—For relief of District Agricultural societies.....	75,000 00
17, Assembly Bill No. 108—For purchase of a portrait of ex-Governor James H. Budd.....	500 00
17, Assembly Bill No. 131—For improvement of San Diego Harbor.....	150,000 00
17, Assembly Bill No. 136—For erection of a Governor's mansion.....	55,000 00
18, Assembly Bill No. 154—To establish the California Polytechnic School in the County of San Luis Obispo.....	100,000 00
18, Assembly Bill No. 160—For the purpose of collecting and importing into this State parasites and predaceous insects.....	10,000 00
20, Assembly Bill No. 238—Claim of Julius A. Holt.....	7,500 00

Jan. 20, Assembly Bill No. 248—Claim of O. R. Chapman.....	\$1,845 00
20, Assembly Bill No. 249—To regulate sale of commercial fertilizers...	1,000 00
20, Assembly Bill No. 252—Claim of E. M. Strout.....	2,000 00
20, Assembly Bill No. 253—To complete and equip State Normal School building at San Diego.....	80,000 00
20, Assembly Bill No. 264—To pay for the cleaning of the outer surface composing the lower story of the State Capitol.....	2,000 00
20, Assembly Bill No. 268—Transferring from the Estates of Deceased Persons Fund to the State School Land Fund.....	100,000 00
20, Assembly Bill No. 272—Providing for expert to the Controller.....	-----
23, Assembly Bill No. 284—For the construction of a wagon road from Round Valley, Mendocino County, to Colusa County.....	7,500 00
23, Assembly Bill No. 287—Providing for the amount and the time and manner of payment of salaries of deputy clerks in the office of the Clerk of the Supreme Court.....	-----
23, Assembly Bill No. 288—Amending Section 751 of the Political Code, relative to the appointment of a chief deputy clerk in the office of the Clerk of the Supreme Court.....	-----
23, Assembly Bill No. 293—For the furnishing of the offices of the Clerk of the Supreme Court.....	11,000 00
25, Assembly Bill No. 339—To authorize the insurance of all property of the University of California held for purposes of income.....	-----
25, Assembly Bill No. 342—To provide for an investigation by the University of California into the rainfall and water supply of the State.....	25,000 00
26, Assembly Bill No. 353—For support of aged persons in indigent circumstances residing in the Veterans' Home.....	-----
26, Assembly Bill No. 351—To amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in, the State of California, to the tract of land in Napa County known as the Veterans' Home.....	-----
26, Assembly Bill No. 367—For establishing an ice-making plant at the Preston School of Industry.....	1,500 00
26, Assembly Bill No. 371—For maintenance of the Preston School of Industry for the fifty-first and fifty-second fiscal years.....	125,000 00
26, Assembly Bill No. 394—Directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund.....	250,000 00
27, Assembly Bill No. 407—Claim of The Capital for advertising Constitutional amendments.....	250 00
27, Assembly Bill No. 418—Providing for the study of a water supply and the location of reservoir sites to store flood waters of streams in this State, etc.....	10,000 00
25, Assembly Bill No. 113—For dredging and improvement of Alviso Slough.....	25,000 00
25, Assembly Bill No. 175—Authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, etc.....	22,500 00
26, Assembly Bill No. 124—To provide for the inspection of dairies, etc.....	-----
26, Assembly Bill No. 127—For the purchase of additional land for the Folsom State Prison.....	4,500 00
26, Assembly Bill No. 128—For the erection of a building for the accommodation, detention, and care of insane convicts and criminals, etc.....	75,000 00
28, Assembly Bill No. 443—To establish a State Normal School in the City and County of San Francisco.....	150,000 00
27, Assembly Bill No. 31—For the painting and repairing of the State Normal School building at San José.....	2,000 00
27, Assembly Bill No. 411—Authorizing the Secretary of State to furnish his office and vault connected therewith.....	7,500 00
28, Senate Bill No. 109—For purchase of portrait of ex-Governor James H. Budd.....	300 00
27, Assembly Bill No. 10—For the relief of John Mullan.....	45,616 30
28, Assembly Bill No. 34—For the relief of W. C. Guirey.....	260 00
28, Assembly Bill No. 159—Claim of State Board of Horticulture for moneys expended in behalf of the State of California.....	1,957 01
28, Assembly Bill No. 211—Claim of A. W. Rapelye.....	300 00
28, Assembly Bill No. 240—Claim of Thomas Hatch.....	1,050 00
28, Assembly Bill No. 309—Authorizing the Board of Trustees of the State Library to furnish offices in the State Capitol with modern metallic bookcases.....	15,000 00
28, Assembly Bill No. 326—For improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.....	3,500 00
	<hr/>
	\$1,519,078 31

Bills Reported Favorably.

Jan. 16, Assembly Bill No. 62—To pay expense of sending an exhibit to Paris Exposition in 1900.....	\$150,000 00
17, Assembly Bill No. 108—For purchase of a portrait of ex-Governor James H. Budd.....	500 00
17, Assembly Bill No. 136—For erection of a Governor's mansion.....	69,500 00
18, Assembly Bill No. 160—For the purpose of collecting and importing into this State parasites and predaceous insects.....	10,000 00
20, Assembly Bill No. 249—To regulate sale of commercial fertilizers.....	1,000 00
20, Assembly Bill No. 268—Transferring from the Estates of Deceased Persons Fund to the State School Land Fund.....	100,000 00
24, Assembly Bill No. 287—Providing for the amount and the time and manner of payment of salaries of deputy clerks in the office of the Clerk of the Supreme Court.....	-----
24, Assembly Bill No. 288—Amending Section 751 of the Political Code, relative to the appointment of a chief deputy clerk in the office of the Clerk of the Supreme Court.....	-----
24, Assembly Bill No. 293—For the furnishing of the offices of the Clerk of the Supreme Court.....	11,000 00
25, Assembly Bill No. 13—For dredging and improvement of Alviso Slough.....	25,000 00
	<u>\$367,000 00</u>

Bills Reported Unfavorably.

Jan. 17, Assembly Bill No. 105—For relief of district agricultural societies..	\$75,000 00
23, Assembly Bill No. 264—To pay for the cleaning of the outer surface composing the lower story of the State Capitol.....	2,000 00
	<u>\$77,000 00</u>

Bills Referred to Other Committees.

Jan. 18, Assembly Bill No. 154—To establish the California Polytechnic School in the County of San Luis Obispo, referred to Committee on Education.....	\$100 000 00
20, Assembly Bill No. 238—Claim of Julius A. Holt, referred to Committee on Claims.....	7,500 00
20, Assembly Bill No. 248, claim of O. R. Chapman, referred to Committee on Claims.....	1,845 00
20, Assembly Bill No. 252—Claim of E. M. Strout, referred to Committee on Claims.....	2,000 00
20, Assembly Bill No. 253—To complete and equip State Normal School at San Diego, referred to Committee on Public Buildings and Grounds.....	80,000 00
23, Assembly Bill No. 284—For the construction of a wagon road from Round Valley, Mendocino County, to Colusa County, referred to Committee on Roads and Highways.....	7,500 00
25, Assembly Bill No. 339—To authorize the insurance of all property of the University of California held for purposes of income, referred to Committee on Public Buildings and Grounds.....	-----
	<u>\$198,845 00</u>

Recapitulation.

Total amount of appropriations referred to this committee to date.....	\$1,519,078 31
Total appropriations reported favorably.....	367,000 00
Total appropriations reported unfavorably.....	77,000 00
Total appropriations referred to other committees.....	198,845 00
Total appropriations remaining in hands of the committee.....	876,233 31

Respectfully submitted.

VALENTINE, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Raub: Assembly Bill No. 530—An Act to provide for the sweeping, cleaning, and sprinkling of streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Henry: Assembly Bill No. 531—An Act to punish parents, guardians, or persons permitting the malformation, etc., of minor children.

Read first time, and referred to Committee on Public Morals.

By Mr. Dunlap: Assembly Bill No. 532—An Act to amend an Act entitled "An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof," approved March 29, 1897.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Arnerich: Assembly Bill No. 533—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California—1850-1899.

Read first time, and referred to Committee on Public Printing.

By Mr. Crowley: Assembly Bill No. 534—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 310, relating to the sale and possession of opium prepared for smoking.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 535—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 536—An Act to repeal an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Read first time, and referred to Committee on Irrigation.

By Mr. Pierce: Assembly Bill No. 537—An Act to amend Sections 757 and 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Fairweather: Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to coöperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 539—An Act to reduce the number of Judges of the Superior Court of the County of Fresno from two to one.

Read first time, and referred to Committee on Judiciary.

By Mr. Beecher: Assembly Bill No. 540—An Act to amend Sections 3821 and 3825 of the Political Code of the State of California, and to add two new sections thereto, to be known and numbered as Sections 3310 and 3830 of said Code, relating to revenue and taxation.

Read first time, and referred to Committee on Judiciary.

By Mr. Conrey: Assembly Bill No. 541—An Act authorizing Boards of Education of cities, and cities and counties, and Trustees of school districts, to establish and maintain truant schools, and to erect and provide buildings therefor, and to employ officers and teachers and other employes therein, and to provide for the commitment of habitual truants to such schools.

Read first time, and referred to Committee on Education.

By Mr. Raw: Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Read first time, and referred to Committee on Ways and Means.

By Mr. Cowan: Assembly Bill No. 543—An Act to amend Section 92 of the Civil Code of California, and to add a new section thereto, to be numbered and known as Section 108 of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Meserve: Assembly Bill No. 544—An Act making an appropriation to pay for the support of the Southern California State Hospital for the fifty-first and fifty-second fiscal years.

Read first time, and referred to Committee on Ways and Means.

By Mr. Knowland: Assembly Bill No. 545—An Act to amend Section 20 of an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893, and as amended by an Act approved March 26, 1895, said Section 20 defining the name "building and loan association" as used in said Act, and giving said board certain powers and duties.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 546—An Act to amend Section 9 of an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893, and as amended by an Act approved March 26, 1895, said Section 9 relating to the procedure in cases of associations violating their charters or the law, or conducting their business in an unsafe manner.

Read first time, and referred to Committee on Corporations.

By Mr. Devoto: Assembly Bill No. 547—An Act to amend Section 869 of the Penal Code of the State of California, requiring the taking, authentication, and transcription of depositions, and the appointment of shorthand reporters, and fixing their compensation in criminal cases before magistrates.

Read first time, and referred to Committee on Judiciary.

By Mr. E. D. Sullivan: Assembly Bill No. 548—An Act to regulate the practice of architecture.

Read first time, and referred to Committee on Commissions and Public Expenditures.

By Mr. Mead: Assembly Bill No. 549—An Act to prohibit corporations, doing a fire or marine, or fire and marine, insurance in this State, from advertising or publishing in this State any statement of capital not fully paid up in cash, or any assets not liable for losses in the United States, or of any assets not subject to the jurisdiction of the courts of the United States.

Read first time, and referred to Committee on Corporations.

By Mr. Greenwell: Assembly Bill No. 550—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble (by request): Assembly Bill No. 551—An Act to create a commission for the purpose of examining and testing, at actual elections, by public trial and purchase, of voting machines, and report-

ing to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation; providing for the punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions relative to voting by machine instead of by ballot, and appropriating money for expenses and salaries, rents, advertising, employment, purchases, etc., accruing by reason of the powers conferred upon the commission.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 552—An Act placing all companies selling certificates, bonds, or debentures, with coupons attached thereto, on the partial payment or installment plan, doing business in this State, under the supervision and control of the State Board of Bank Commissioners.

Read first time, and referred to Committee on Corporations.

By Mr. Valentine: Assembly Bill No. 553—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by various State institutions, commissions, and officers, and directing the disposition of the same.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Feliz: Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship.

Read, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 250—An Act to amend Section 2608 of the Political Code of the State of California, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections 3609 and 3610, also, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

RICKARD, Chairman.

Assembly Bill No. 250 ordered on second-reading file.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Knights:

Resolved, That the State Controller be and he is hereby instructed to draw his warrant on the State Treasurer in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for the sum of \$38; and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly, the same being in payment for flags purchased, as per resolution of January 28, 1899.

Also:

Resolved, That the Sergeant-at-Arms be and is hereby directed to purchase the flags now in the chamber, and that the sum of \$38 be appropriated out of the Contingent Fund of the Assembly in payment of the same.

Resolutions adopted.

SPECIAL ORDER.

ASSEMBLY JOINT RESOLUTION No. 12.

Relative to the exposition at San Francisco, in 1901, of products and industries of Pacific Ocean countries.

WHEREAS, An exposition of the products and industries of the United States, the Hawaiian and Philippine Islands, and other countries, is proposed to be held at the City of San Francisco, State of California, beginning May 1, 1901, and continuing to the end of the year;

WHEREAS, Such exposition, though originally proposed to commemorate the fiftieth anniversary of the admission of California into the Union, will also commemorate the third anniversary of Admiral Dewey's victory in Manila Bay, the former, following the discovery of gold, inaugurated a new epoch in history; the latter opened forever the gates of the commerce of the Eastern World to the United States;

WHEREAS, Such an exposition will be national in character, gratifying alike the patriotic pride of the people and their desire to stimulate our foreign and domestic commerce;

WHEREAS, The course of events guided by the valor of our soldiers and sailors makes the time and place fixed for such exposition propitious, and our duty imperative to hold the commercial advantages sure to accrue to our country therefrom; therefore, be it

Resolved by the Assembly, the Senate concurring, That we respectfully urge the President, and the Congress of the United States, to make a Government exhibit at said exposition;

That we further respectfully urge an appropriation by the United States in aid of such exposition;

That our Senators be instructed, and our Representatives in Congress be requested, to use all honorable means to secure such Government exhibit and appropriation,

That the Governor of California be requested to forward to the President of the United States, the Senate, and House of Representatives, and our Senators and members of Congress, a certified copy of these resolutions

The question being, "Shall Assembly Joint Resolution No. 12 be adopted?"

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Cowan, Crowley, Dale, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Johnson, Kelley, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—57.

NOES—Mr. Clough—1.

Mr. O'Brien moved that Assembly Joint Resolution No. 12 be immediately transmitted to the Senate.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 6.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section No. 1½, relating to the exemption from taxation of churches and chapels, and the real property on which they are situated

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on January 2, 1899, two thirds of all members elected to each house concurring, hereby proposes that Article XIII of the Constitution of said State be amended by adding thereto a new section, to be known as Section No. 1½, which shall read as follows, to wit:

SECTION 1½. All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, shall be free from taxation.

The question being: "Shall Assembly Constitutional Amendment No. 6 be adopted?"

The roll was called, and Assembly Constitutional Amendment No. 6 adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Clough, Cowan, Crowder, Crowley, Dale, Devoto

Dibble, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—63.

NOES—Mr. Feliz—1.

Mr. Johnson moved to amend the title by making it read as follows:

"To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 1½, relating to the exemption from taxation of all buildings used solely and exclusively for religious worship, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings."

Amendment adopted.

Title read and approved.

Assembly Constitutional Amendment No. 6 ordered reingrossed and transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1899.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 458—An Act to amend the Penal Code by adding a section thereto to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROWN, Chairman.

Assembly Bill No. 458 ordered on second-reading file.

SPECIAL FILE.

Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Passed on file.

Assembly Bill No. 250—An Act to amend Section 2608 of the Political Code of the State of California, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections 3609 and 3610; also, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Clough, Cowan, Crowley, Dale, Devoto, Fairweather, Feliz, Glenn, Hanley, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—53.

NOES—None.

Title read and approved.

RECESS.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Arnerich, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 31, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—77.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, January 30, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, January 30, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Carrier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, and Sims—10.

Whole number of votes cast by Senators	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Bree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	18 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	111
Necessary to a choice.....	56
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	24 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	26 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	28 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION.

Senator Leavitt moved that the Joint Assembly do now proceed to take another ballot.

Motion carried, and it was so ordered.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For *W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
 For *R. N. Bulla*—Senators Currier, Gillette, Simpson, and Taylor—4.
 For *D. M. Burns*—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
 For *U. S. Grant, Jr.*—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
 For *Irving M. Scott*—Senator Davis—1.
 For *John Rosenfeld*—Senator Feeney—1.
 For *Thomas R. Bard*—Senators Flint and Rowell—2.
 For *Stephen M. White*—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, and Sims—10.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	2 votes.
Stephen M. White received.....	10 votes

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For *W. H. L. Barnes*—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentzer—7.
 For *M. M. Estee*—Mr. Wade—1.
 For *R. N. Bulla*—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
 For *D. M. Burns*—Messrs. Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKee, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.
 For *C. N. Felton*—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.

For John Rosenfeld—Mr. Crowley—1.

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W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
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The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

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Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	28 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION.

Senator Leavitt moved that the Joint Assembly do now proceed to take another ballot.

The ayes and noes were demanded by Messrs. Belshaw, Dibble, and Senator Leavitt.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Bettman, Bulla, Burnett, Cutter, Doty, Feeney, Gillette, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Nutt, Pace, Shortridge, Simpson, Smith, Stratton, Trout, and Wolfe—21.

NOES—Senators Ashe, Boyce, Braunhart, Chapman, Currier, Davis, Dickinson, Flint, Hall, Langford, Maggard, Morehouse, Rowell, Sims, and Taylor—15.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Chynoweth, Cobb, Cosper, Crowley, Dale, De Lancie, Devoto, Dibble, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Mulice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—51.

NOES—Messrs. Atherton, Belshaw, Boone, Cargill, Clough, Conrey, Cowan, Crowder,

Dunlap, Feliz, Greenwell, Huber, Jilson, La Baree, Lardner, McDonald of Alameda, Merrill, Merritt, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, and Works—26.

Upon the conclusion of the roll call, the Speaker of the Assembly announced the result, and declared the motion carried, and ordered that the Joint Assembly do now proceed to take another ballot for a Senator in Congress to succeed the Hon. Stephen M. White.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, and Sims—10.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—19.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	1 vote.

Marion De Vries received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	18 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	111
Necessary to a choice.....	58
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	24 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	28 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	28 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes P. M., Mr. Dibble moved that the Joint Assembly do now adjourn until Wednesday, February 1, 1899.
Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Wednesday, February 1, 1899.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and fifty-six minutes P. M., the Assembly reconvened. Speaker Anderson in the chair.

ADJOURNMENT.

At twelve o'clock and fifty-eight minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, February 1, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 1, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan,

Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Clark was granted leave of absence for one day, on motion of Mr. Kelsey.

RECESS.

On motion of Mr. Dibble, the Assembly, at nine o'clock and forty minutes A. M., took a recess until ten o'clock and forty-five minutes A. M., out of respect to the memory of the Hon. John Boggs, late Senator from the Eighth Senatorial District, this being the hour at which the funeral ceremonies are to take place at San Francisco, California.

REASSEMBLED.

At ten o'clock and forty-five minutes A. M., the Assembly reconvened. Speaker Anderson in the chair.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Tuesday, January 31, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Also: Assembly Bill No. 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract of land upon which the same was assessed) upon subsequent assessments.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DUNLAP, Chairman.

Assembly Bills Nos. 60 and 257 ordered on second-reading file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 147—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbor Master of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Also: Senate Joint Resolution No. 12—Relative to the improvement of San Pablo Bay.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNOWLAND, Chairman.

Assembly Bill No. 147 ordered on second-reading file.

Senate Joint Resolution No. 12 ordered on Senate special file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Nos. 329, 104, 91, 286, 301, 302, 32, 177, 366, 376, 373, 58, and 361.

Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Assembly Bill No. 91—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

Assembly Bill No. 286—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes, and authorizing the boards of trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Assembly Bill No. 301—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by amending Sections 1 and 2 thereof.

Assembly Bill No. 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California, entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Assembly Bill No. 32—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Assembly Bill No. 373—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any State prison, State reformatory, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

RICKARD, Chairman.

Assembly Bills Nos. 329, 104, 91, 286, 301, 302, 32, 177, 366, 376, 373, 58, and 361 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 159 ordered on second-reading file.

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, to whom

was referred Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that the committee amendments be adopted, and report the bill back without recommendation.

Also: Assembly Bill No. 275—An Act to improve the public service of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CONREY, Chairman.

Assembly Bill No. 208 referred to Committee on Ways and Means.
Assembly Bill No. 275 ordered on file for second reading.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals, have visited the Napa State Hospital, thoroughly examined the same, and find it in good condition and well administered. We also find that the additional water supply asked for by said hospital is much needed.

WADE, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 59—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with the road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MELICK, Chairman.

Assembly Bill No. 59 referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Also: Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, California, and the Trustees thereof, against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District, and the Trustees thereof, against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WILLIAM McDONALD, Chairman.

Assembly Bills Nos. 67, 279, 78, 76, 77, 79, 80, 82, 274, and 81 referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 150—An Act to amend Section 1 of an Act of the Legislature of the State of California entitled "An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 27, 1897.

Also: Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Also: Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Report the same back, and recommend their passage.

Also: Assembly Bill No. 480—An Act to amend Section 397 of the Penal Code, relating to the selling of liquor to habitual or common drunkards, minor children, idiots, insane or incompetent persons, and Indians, and relating to minors being allowed to remain in and about saloons and drinking places—report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 37—An Act relating to certain contracts, conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Assembly Bill No. 382—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 170 thereof, relating to the disqualification of Judges of the Superior Court of the State of California to sit or act on the trial or hearing of certain actions or proceedings.

Also: Assembly Bill No. 462—An Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all Acts amendatory thereof and supplementary thereto, relating to undertaking in actions of libel.

Report the same back, and recommend their passage.

Also: Assembly Bill No. 361—An Act entitled "An Act amending Section 204 of the Code of Civil Procedure of the State of California," concerning the selecting and returning of jurors—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 500—An Act to amend Section 472 of the Political Code of California, relating to the Attorney-General—report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 493—An Act to repeal Section 3640 of the Political Code of the State of California, relating to the field enrollment book of Assessors—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 267—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same—report the same back, and recommend that it do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 150, 292, 375, 480, 37, 382, 462, 364, 500, 493, and 267 ordered on second-reading file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute of the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street laws of this State.

Also: Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Also: Assembly Bill No. 347—An Act to appropriate money to pay the directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the Town of Berkeley, California, his authority having been acquired under the general street law of this State.

Also: Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CROWDER, Chairman.

Assembly Bills Nos. 39, 72, 347, and 369 referred to Committee on Ways and Means.

RE-REFERENCE OF BILL.

Mr. Crowley moved that Assembly Bill No. 534 be recalled from Committee on Judiciary and re-referred to Committee on Public Morals.
So ordered.

RESIGNATION FROM COMMITTEES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: I hereby resign from the following committees:

1. As chairman of the Committee on Corporations.
2. As a member of the Committee on Dairies and Dairy Products.
3. As a member of the Committee on Fish and Game.
4. As a member of the Committee on Public Health and Quarantine.
5. As a member of the Committee on Public Morals.

ALDEN ANDERSON.

APPOINTMENTS ON COMMITTEES.

The following appointments on committees were announced:

1. Mr. Raub, to be chairman of the Committee on Corporations, vice Anderson, resigned.
2. Mr. Marvin, to be a member of the Committee on Public Health and Quarantine, vice Anderson, resigned.
3. Mr. Wright, to be a member of the Committee on Corporations, vice Mr. Raub, made chairman.
4. Mr. Wright, to be a member of the Committee on Dairies and Dairy Products, vice Anderson, resigned.
5. Mr. Wright, to be a member of the Committee on Fish and Game, vice Anderson, resigned.
6. Mr. Wright, to be a member of the Committee on Public Morals, vice Anderson, resigned.

MOTION.

Mr. Eugene Sullivan moved that Assembly Bill No. 390 be recalled from Committee on Judiciary.
So ordered.

BILL WITHDRAWN.

Assembly Bill No. 390 withdrawn by author.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 450—An Act to promote the purity of primary elections and to punish offenses thereat—have had the same under consideration, and respectfully report the same back, and recommend a committee substitute therefor.

Also: Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Also: Assembly Bill No. 176—An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Also: Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Also: Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BELSHAW, Chairman.

Assembly Bill No. 450 withdrawn by author.

Assembly Bills Nos. 12, 176, 438, 322, 395, and 349 ordered on second-reading file.

INTRODUCTION OF BILLS, ETC.

The following bills, etc., were introduced, read first time, and referred to committees as follows:

By Committee on Claims: Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Rickard: Assembly Bill No. 556—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 557—An Act to amend Section 1186 of the Political Code of the State of California, defining political conventions.

Read first time, and referred to Committee on Election Laws.

By Mr. Hoey: Assembly Bill No. 558—An Act making an appropriation for a concrete floor in the basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Cobb: Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled an Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, approved March 31, 1897.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 560—An Act to amend Sections 3548, 3549, 3550, and 3551 of an Act to establish a Political Code, approved March 12, 1872, relating to the proceedings against delinquent purchasers of State lands.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln, in Golden Gate Park, in the City and County of San Francisco.

Read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 562 (Committee Substitute for Assembly Bill No. 450)—An Act to amend the Penal Code of the State of California by adding a new section thereto, relating to primary elections, and to punishment of offenses thereat.

Read first time, and referred to Committee on Election Laws.

By Mr. Kelsey: Assembly Bill No. 563—An Act to amend Section 1192 of the Code of Civil Procedure, concerning the posting and filing of notices relating to mechanics' liens.

Read first time, and referred to Committee on Judiciary.

By Mr. Dunlap: Assembly Bill No. 564—An Act to pay the claim of Louis Gerlach against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 565—An Act to amend Sections 702 and 703 of an Act entitled "An Act to establish a Code of Civil Procedure," by which amendment the time of redemption of real estate from sale under execution is changed from twelve months to six months.

Read first time, and referred to Committee on Judiciary.

By Mr. Feliz: Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Burnett: Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 568—An Act to amend Sections 1503, 1663, 1770, 1771, 1772, 1775, and 1858 of the Political Code, and to add a new section thereto, to be known as Section 1523, relating to public schools.

Read first time, and referred to Committee on Education.

By Mr. Griffin: Assembly Bill No. 569—An Act to amend Section 602 of the Penal Code of the State of California, and to add a new subdivision thereto, to be known as subdivision 8, making it a misdemeanor for animals to trespass upon property of another.

Read first time, and referred to Committee on Judiciary.

By Mr. Jilson: Assembly Bill No. 570—An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 571—An Act to create the office of Field Deputy in Assessor's office in counties of the fifth class.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 572—An Act to create the office of Chief Deputy Assessor in counties of the fifth class.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis.

Read first time, and referred to Committee on Ways and Means.

By Mr. Valentine: Assembly Bill No. 575—An Act to amend an Act entitled "An Act to provide for classification of municipal corpora-

tions," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Read first time, and referred to Committee on Municipal Corporations.

RESOLUTIONS.

By Mr. Cobb:

Resolved, That the Controller be and he is hereby directed to draw his warrant, and the Treasurer is authorized to pay the same, for the sum of \$585 05 in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached vouchers:

Capital Transfer Co.....	\$0 25
Day & Joy.....	4 50
Charles Flohr.....	25
Locke & Lavenson.....	1 20
Ifale Bros.....	24 75
Wells, Fargo & Co.....	1 30
John Breuner.....	142 65
Union Ice Co.....	5 50
Tom Scott.....	93 90
Washing towels.....	6 50
Buffalo Brewing Co.....	11 00
H. S. Crocker & Co.....	241 25
Capital Water Co.....	52 00
	<hr/> \$585 05

Referred to Committee on Ways and Means.

By Mr. Dibble:

Resolved, That the Assembly do now proceed to elect the following named persons to the offices set opposite their respective names, and who shall receive the compensation for their services which is now provided by law: Assistant Clerk, at \$6 per day, H. T. Smith, File Clerk, at \$6 per day, John Mott; Assistant Engrossing and Enrolling Clerk, at \$5 per day, J. J. Breen; Assistant Engrossing and Enrolling Clerk, at \$5 per day, E. J. Fleming; Assistant Engrossing and Enrolling Clerk, at \$5 per day, M. J. Hallahan; Clerk to the Sergeant-at-Arms, at \$5 per day, W. J. Kirkpatrick; Committee Clerk, at \$4 per day, J. J. Hillard; Committee Clerk, at \$4 per day, L. Sexton; Committee Clerk, at \$4 per day, William F. Knorr; Committee Clerk, at \$4 per day, C. W. Atherton; Committee Clerk, at \$4 per day, B. F. Fraser; Committee Clerk, at \$4 per day, Mrs. B. J. Eddy; Committee Clerk, at \$4 per day, Mrs. R. F. Fleming; Committee Clerk, at \$4 per day, Frank Storer; Committee Clerk, at \$4 per day, W. Gaffney; Committee Clerk, at \$4 per day, Thomas O'Donnell; Assistant Bill Clerk, at \$4 per day, F. D. Branch; Assistant Bill Clerk, at \$4 per day, C. W. Curtis; Sergeant-at-Arms to Ways and Means Committee, at \$3 per day, G. Kimberly; Sergeant-at-Arms to Judiciary Committee, at \$3 per day, George Dougherty; Porter, at \$3 per day, Jesse R. Dorsey; Porter, at \$3 per day, Charles Prince; and that the persons so elected do immediately take the oath of office, and qualify to the positions to which they are now elected; that their compensation shall commence immediately upon their taking the oath of office, and that they shall all immediately enter upon the discharge of their duties.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Clough, Cobb, Crowley, De Lancia, Devoto, Dibble, Dunlap, Greenwell, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Bree, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Wade, Works, Wright, and Mr. Speaker—46.

NOES—Messrs. Boone, Burnett, Cowan, Griffin, Mack, Mead, Meserve, Stewart, and E. D. Sullivan—9.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit

the various State Hospitals, having visited the State Hospital at Napa, and having made their report, herewith present the bill of expense of such visit, to wit:

Wade.....	\$12 20
Cargill.....	12 20
Marvin.....	12 20
Meserve.....	12 20
Merritt.....	12 20
Crowly.....	12 20
La Barea.....	12 20
Total.....	\$85 40

And offer the following resolution:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Owen Wade, chairman of said committee, for the sum of \$85 40, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

WADE, Chairman.

Resolution adopted.

RESOLUTIONS.

By Mr. Blood:

Resolved, That the State Printer be and he is hereby directed to print two hundred and fifty extra copies of each Assembly bill heretofore introduced relative to governments of municipal corporations. Also, to print a like number of the same class of bills hereafter introduced.

Referred to Committee on Public Printing.

By Mr. Knights:

Resolved, That the State Controller be and is hereby authorized to draw his warrant, and the State Treasurer instructed to pay the same, for \$36 25 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles as per attached voucher:

State of California to Locke & Lavenson.

Jan. 3—To ½ dozen brooms, and ½ dozen fiber pails.....	\$4 00
To ¼ dozen dust pans, and 5-12 dozen carpet sweepers.....	12 75
To ½ dozen feather dusters.....	19 50
	\$36 25

Resolution adopted.

By Mr. Knowland:

Resolved, That the Assembly Committee on Commerce and Navigation be excused from Friday, February 3d, until Monday, February 6th, for the purpose of visiting San Francisco and Oakland and examining into matters contained in Assembly Bills Nos. 35, 161, 334, and 459, now before said committee.

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your committee on County and Township Governments, to whom was referred Assembly Bill No. 70—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of election in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that the substitute by Mr. Belshaw do take the place of Assembly Bill No. 70, and do pass.

Also: Assembly Bill No. 225—An Act to prevent the spread of glanders, farcy, anthrax, splenic or Texas fever, or any contagious or infectious diseases peculiar to domestic animals—have had the same under consideration, and respectfully report the same back, and recommend that the substitute by Mr. Anderson do take the place of Assembly Bill No. 225, and do pass.

HUBER, Chairman.

Assembly Bills Nos. 70 and 225 withdrawn by author.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Belshaw: Assembly Bill No. 576 (Substitute for Assembly Bill No. 70)—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and disposal of their proceeds," approved March 31, 1891, the amendment of said section relating to the issuance of bonds.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Anderson: Assembly Bill No. 577—An Act to prevent the spread of cholera, glanders, farcy, anthrax, splenic or Texas fever, or any contagious or infectious diseases peculiar to domestic animals.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Kelley: Assembly Bill No. 578—An Act to amend an Act entitled "An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers," approved March 23, 1893.

Read first time, and referred to Committee on Corporations.

By Mr. Kelsey: Assembly Bill No. 579—An Act making an appropriation to pay the claim of D. L. Blanchard for supplying provisions to a company of United States cavalry known as Captain Ramon Pico's company, during the War of the Rebellion, for \$1,587.

Read first time, and referred to Committee on Claims.

COMMUNICATION.

SANTA ROSA, January 28, 1899.

To W. F. COWAN, Esq., *Sacramento, Cal.*

DEAR SIR: The following preamble and resolution were unanimously passed at the last meeting of Sonoma County Pomona Grange:

WHEREAS, The prosperity of agriculture is indispensable to the prosperity of all other legitimate industries of our State and Nation; and

WHEREAS, Agriculture is languishing under a grievous burden of taxation; and

WHEREAS, The Legislature now in session is being flooded with petitions looking to the exemption of other classes of property from taxation, the effect of which would be to increase the taxation on agriculture; now, therefore, be it

Resolved by Sonoma County Pomona Grange, That the Legislature be and it is hereby petitioned to submit to the people a constitutional amendment exempting all farms and farm property from taxation.

M. B. MAC, Secretary.

Referred to Committee on Agriculture.

RESOLUTION.

By Mr. Devoto:

Resolved, That the Democratic minority, during this legislative session, be allowed a clerk at a per diem of \$5, to be paid out of the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant for and the Treasurer to pay the same.

Referred to Committee on Attachés and Employés.

Mr. Wade moved that the rules be suspended and that the Assembly do now take up and consider Senate Joint Resolution No. 10.

SENATE JOINT RESOLUTION No. 10.

Relative to the construction and ownership of Nicaragua Canal.

WHEREAS, The construction of the Nicaragua Canal would be of immense value to the people of the Pacific Coast, and especially to the people of the State of California, as it would afford greater protection to this coast in time of war, open new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises everywhere within our State, and largely tend to maintain old ones, greatly increase our population, and thus enhance our wealth and multiply our resources, and establish a shorter line of oceanic communication between the United States and its possessions in the Orient; and

WHEREAS, There is now pending in the Congress of the United States a measure providing for the construction of the Nicaragua Canal by the United States Government;

Resolved by the Senate of the State of California, the Assembly thereof concurring, That our Senators in Congress be instructed, and our members of the House of Representatives of the United States be requested, to earnestly support the passage of this measure; and be it further

Resolved, That we favor the absolute ownership and operation of the said Nicaragua Canal by the United States Government;

Resolved, That His Excellency the Governor is hereby requested to forward to each of our Senators and Representatives in Congress a copy of this resolution.

The question being, "Shall Senate Joint Resolution No. 10 be adopted?"

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Clough, Cowan, Crowley, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—59.

Mr. Wade moved that Senate Joint Resolution No. 10 be immediately transmitted to the Senate.

So ordered.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER, }
Wednesday, February 1, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to

order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Braunhart, Bulla, Burnett, Currier, Cutter, Davis, Dickinson, Doty, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Luchsinger, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Smith, Stratton, Taylor, Trout, and Wolfe—30.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—71.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, January 31, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, January 31, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Stratton—3.

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Laird, Shortridge, and Wolfe—3.

For U. S. Grant, Jr.—Senators Jones, Nutt, Smith, and Trout—4.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Doty, Hall, Langford, La Rue, Pace, and Prisk—8.

Whole number of votes cast by Senators	26
W. H. L. Barnes received	3 votes
R. N. Bulla received	4 votes
D. M. Burns received	3 votes.
U. S. Grant, Jr., received	4 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	8 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Jilson, Johnson, Kelley, Kenneally, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—16.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Crowder, Dale, De Lancie, Greenwell, Huber, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For John Rosenfeld—Mr. Crowley—1.

For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, Wardell, and White—16.

Whole number of votes cast by Assemblymen	71
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	16 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	18 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	16 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	97
Necessary to a choice	49
W. H. L. Barnes received	10 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	19 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	22 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	24 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

Mr. Wade moved that the Joint Assembly do now adjourn.

The ayes and noes were demanded by Messrs. Wade, Works, and Radcliff.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Ashe, Braunhart, Currier, Davis, Dickinson, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Luchsinger, Pace, Prisk, Rowell, Simpson, and Taylor—19.

NOES—Senators Bulla, Burnett, Cutter, Doty, Nutt, Shortridge, Smith, Stratton, Trout, and Wolfe—10.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

Ayes—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Clough, Cosper, Cowan, Dunlap, Feliz, Greenwell, Griffin, Hanley, Hoey, Jilson, Knowland, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Muentner, Robinson, Stewart, E. D. Sullivan, Wade, and Wright—27.

Noes—Messrs. Arnerich, Barry, Beecher, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Cobb, Conrey, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Fairweather, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, La Baree, Lardner, Lundquist, McDonald of Alameda, McKeen, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—47.

Upon the conclusion of the roll call, the Speaker of the Assembly announced the result and declared the motion lost, and ordered that the Joint Assembly do now proceed to take another ballot for Senator in Congress to succeed the Hon. Stephen M. White.

Whereupon the President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result.

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Stratton—3.

For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Laird, Shortridge, and Wolfe—3.

For U. S. Grant, Jr.—Senators Jones, Nutt, Smith, and Trout—4.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Doty, Hall, Langford, La Rue, Pace, and Prisk—8.

Whole number of votes cast by Senators	26
W. H. L. Barnes received	3 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	3 votes.
U. S. Grant, Jr., received	4 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	8 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Jilson, Johnson, Kelley, Kenneally, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—16.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Crowder, Dale, De Lancie, Greenwell, Huber, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Raub, Raw, and Works—17.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Burnett, Cowan, Fairweather, Feliz, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, Wardell, and White—16.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	70
W. H. L. Barnes received.....	7 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	16 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	17 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	16 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the completion of the roll call, announced the vote as follows:

Whole number of votes cast.....	96
Necessary to a choice.....	49
W. H. L. Barnes received.....	10 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	19 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	21 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	24 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., Assemblyman Dibble moved that the Joint Assembly do now adjourn until Thursday, February 2, 1899.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, February 2, 1899.

IN ASSEMBLY.

The Assembly reconvened immediately on the adjournment of the Joint Assembly, and stood adjourned, under the rules, until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Anderson in the chair.

SPECIAL FILE.

Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Clough, Cobb, Conrey, Dale, Devoto, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Hoey, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce,

Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

At two o'clock and ten minutes P. M., the Speaker called Mr. Johnson to the chair.

THIRD-READING FILE.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions of the State of California of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Passed on file.

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Passed on file.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Cargill, Cobb, Crowder, Dale, Devoto, Dibble, Dunlap, Griffin, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Works, and Wright—47.

NOES—Messrs. Boone, Fairweather, Feliz, Hoey, Meserve, and White—6.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Burnett gave notice that he would on to-morrow move a reconsideration of the vote whereby Assembly Bill No. 139 was this day finally passed.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Read third time.

Mr. Valentine moved that Assembly Bill No. 53 be referred to a select committee of one, for the purpose of amending the bill as follows:

Amend by inserting in line 2, Section 1 of printed bill, after the syllable "tion" the words "of the sixth class."

So ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for

determining the population thereof—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee.

Report adopted.

Assembly Bill No. 53 ordered to print, engrossment, and third reading.

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—66.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON FEDERAL RELATIONS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No. 3—An Act appointing Thomas N. Noster and other agents to collect from the United States claims of the State for sums paid during the Rebellion.

Also: Assembly Bill No. 9—An Act appointing John Mullan agent of this State to collect from the United States all moneys heretofore paid and which may become due this State on account of obligations heretofore assumed by this State for the benefit and "common defense" of the United States, growing out of Indian hostilities in this State and upon the borders thereof, including also all moneys which may become due this State on account of the five per cent of the net proceeds of the sales for cash or otherwise of the public lands made by the United States in this State, and allowing him compensation therefor in event of success.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Ways and Means.

Also: Assembly Joint Resolution No. 13—Relative to creating the rank of Admiral and conferring the same on Rear Admiral George Dewey.

Also: Assembly Joint Resolution No. 10—Relative to setting over and establishing granite posts to mark a true boundary line between the States of California and Nevada.

Also: Assembly Joint Resolution No. 8—Relative to the completion of the jetty in San Diego Bay.

Also: Assembly Concurrent Resolution No. 8—Restricting immigration of Japanese laborers, etc.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

DALE, Chairman.

Assembly Bills Nos. 3 and 9 referred to Committee on Ways and Means.

Assembly Joint Resolutions Nos. 13, 10 and 8, and Assembly Concurrent Resolution No. 8, ordered on third-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

Title read and approved.

Mr. Valentine moved that Assembly Bill No. 61 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clough, Cobb, Crowder, Crowly, Dale, Devoto, Dibble, Dunlap, Fairweather, Felz, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—63.

NOES—None.

Mr. Dibble moved to amend the title as follows:

Amend title by inserting the word "secret" before the word "societies" in last line of title.

Amendment adopted.

Assembly Bill No. 261 ordered to printer and reëngrossment.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee as follows:

By Mr. Devoto: Assembly Bill No. 580—An Act relating to the storage of gunpowder, giant powder, or other combustible material.

Read first time, and referred to Committee on Municipal Corporations.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Read third time.

Mr. Beecher moved that Assembly Bill No. 172 be referred to a select committee of one, for the purpose of amending as follows:

Amend by inserting the word "Shasta" after the word "El Dorado" on lines 11 and 12, and before the word "and" on line 12.

So ordered.

Mr. Beecher was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

BEECHER, Committee.

Report adopted.

Assembly Bill No. 172 ordered to reëngrossment.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of

master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Read third time.

Passed on file, but to retain place on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Passed on file.

Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883; and an amendatory Act thereof, approved February 18, 1885; and an Act amendatory thereof, approved March 7, 1889.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Crowder, Crowley, De Lancey, Devoto, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Mehck, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—56.

NOES—None.

Title read and approved.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Passed on file.

Assembly Bill No. 287—An Act entitled “An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court.”

Passed on file.

Assembly Bill No. 288—An Act entitled “An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court.

Passed on file.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled “An Act to establish a Political Code,” approved March 12, 1872, concerning the patenting of lands belonging to the State.

Passed on file.

Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens for mechanics and others upon real property.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clough, Conrey, Cosper, Crowder, Crowly, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—56.

NOES—None.

Title read and approved.

Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Passed on file.

Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clough, Conrey, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—55.

NOES—None.

Title read and approved.

Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled “An Act to establish a Civil Code of the State of California,” approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Brown, Burnett, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Felz, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentel, O'Brien, Pierce, Raub, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, and Wright—52.

NOES—None.

Title read and approved.

Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

Passed on file.

Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, pilot commissioners, and pilotage.

Passed on file.

Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Passed on file.

ASSEMBLY JOINT RESOLUTION No. 9.

Relative to the construction of the Nicaragua Canal, to be owned by the United States.

WHEREAS, The prompt construction of the Nicaragua Canal is of vital importance to our country, and calculated to foster the domestic and foreign commerce of the republic; therefore, be it

Resolved by the Assembly, the Senate concurring, That we urgently request the Congress of the United States to enact laws and take the necessary steps required to provide for the construction of the Nicaragua Canal, to be owned and operated by the United States, thus affording a short water route between the Atlantic and Pacific shores and quicker communication with foreign lands at reasonable tolls and without discrimination; be it further

Resolved, That our Senators be instructed and our Representatives in Congress requested to use all honorable means to secure the immediate consideration and passage of laws to carry out the objects of the foregoing resolution; be it further

Resolved, That the Governor of the State of California telegraph a copy of these resolutions to the President of the Senate and Speaker of the House of Representatives of the United States, and mail a copy thereof to each member of the California delegation in Congress.

Resolution read and adopted.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court."

Also: Assembly Bill No. 288—An Act entitled an Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court.

RICKARD, Chairman.

Assembly Bills Nos. 287 and 288 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 91—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Crowder, Dunlap, Greenwell, Kelsey, McDonald of Alameda, McDonald of Tuolumne, Milce, Miller of Los Angeles, and Wright—9.

NOES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boone, Boynton, Brown, Burnett, Cargill, Chynoweth, Clough, Conrey, Cosper, Cowan, Dale, De Lancie, Devoto, Fairweather, Feliz, Hoey, Huber, Jilson, Kenneally, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McKeen, Merrill, Meserve, O'Brien, Pierce, and Wardell—36

NOTICE OF RECONSIDERATION.

Mr. Huber gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 91 was this day refused final passage.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence at roll call for the month of February.

MOTION.

At three o'clock and forty-five minutes P. M., Mr. Wright moved to adjourn.

Motion lost.

THIRD-READING FILE—(RESUMED).

Mr. Belshaw moved that the Assembly do now consider Assembly Bills Nos. 287 and 288.

So ordered.

Assembly Bill No. 287—An Act entitled an Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Cargill, Chynoweth, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoey, Huber, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Milce, Miller of Los Angeles, Muentzer, O'Brien, Rickard, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—49.

NOES—None.

Title read and approved.

Assembly Bill No. 288—An Act entitled an Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Feliz, Greenwell, Hanley, Hoyer, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Rickard, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—48.

NOES—Messrs. Clough, Melick, and Meserve—3.

Title read and approved.

Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, p. 26), relating to assessing and collecting said taxes.

Passed on file.

Assembly Bill No. 286—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes, and authorizing the Boards of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoyer, Huber, Jilson, Johnson, Kelsey, Kenneally, Knowland, La Bree, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Raub, Rickard, E. D. Sullivan, Wade, White, and Wright—54.

NOES—None.

Title read and approved.

OATH OF OFFICE.

The following appeared and took the following oath of office:

I do swear that I will support the Constitution of the United States of America and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of ——— according to the best of my ability. So help me God.

J. J. Brien, E. J. Fleming, M. J. Hallahan, W. J. Kirkpatrick, J. J. Hillard, B. F. Frazer, B. J. Eddy, Frank Stover, Thomas O'Donnell, G. Kimberly, and George Dougherty.

ADJOURNMENT.

At four o'clock and five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, February 2, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Thursday, February 2, 1899.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—71.

Quorum present.

LEAVE OF ABSENCE.

Mr. Clark was granted leave of absence for the day, on motion of Mr. Kelsey.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Wednesday, February 1, 1899, was read and approved.

COMMUNICATION.

UNITED STATES SENATE, January 27, 1899.

C. W. KYLE, Esq., *Chief Clerk of the Assembly, Sacramento, Cal.*

DEAR SIR: I am in receipt of yours of January 21st, with copy of the resolution asking for an appropriation for San Luis breakwater, and have presented it to the Senate and had it referred to the Committee of Commerce that have the measure under consideration.

Yours very truly,

GEO. C. PERKINS.

Read and ordered printed in the Journal.

PETITIONS.

Mr. Clough presented the following, signed by 216 residents of Lassen County:

To the Senate and Assembly of the Legislature of California:

We, the undersigned, residents of the County of Lassen, California, respectfully ask your honorable bodies to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

Also: One by Mr. Clough, signed by 15 residents of Shasta County, on the same subject.

Also: One by Mr. Clough, signed by 30 residents of Plumas County, on the same subject.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 276—An Act defining inebriety, and providing for the licensing of private inebriate hospitals, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WADE, Chairman.

Assembly Bill No. 276 ordered on second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 340—An Act to amend the title of an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled 'An Act to appropriate money to reimburse the University of California for the money heretofore appropriated to the endowment fund therefor, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893, approved March 3, 1893, to amend Section 4 of the same act, and to appropriate the sum of \$16,747 50 now in the University Fund and unavailable"—report the same back, and recommend that it be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office—report the same back, and recommend its passage.

JOHNSON, Chairman.

Assembly Bill No. 340 referred to Committee on Ways and Means.

Assembly Bill No. 439 ordered on second reading file.

MAJORITY REPORT OF JOINT COMMITTEE ON LABOR AND CAPITAL, AND STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, —, 1899.

MR. SPEAKER: Your Joint Committee on Labor and Capital, and State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 75—An Act entitled an Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions, and substitute and amendments thereto—have had the same under consideration, and respectfully report the same back, and recommend that the substitute of Mr. Dibble for the amendment of Mr. Knights to the amendment of Mr. Anderson be not adopted; that the amendment of Mr. Knights to the amendment of Mr. Anderson be adopted; that the amendment of Mr. Anderson, as amended by the amendment of Mr. Knights thereto, be adopted; that the bill, as amended by the amendment of Mr. Anderson and the amendment of Mr. Knights thereto, do pass.

MUENTER,

Chairman Committee on Labor and Capital.

ATHERTON,

Chairman Committee on State Prisons and Reformatory Institutions.

MINORITY REPORT OF JOINT COMMITTEE ON LABOR AND CAPITAL, AND STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, —, 1899.

MR. SPEAKER: The minority of your Committee on Labor and Capital, and State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 75—An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith affixed do pass.

SUBSTITUTE FOR ASSEMBLY BILL No. 75.

An Act entitled an Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for State or county roads only, and articles consumed in the State institutions.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful for the Board of State Prison Directors or the State prison authorities at Folsom, or any other State penal institution in the State of California, to engage or employ any person confined or employed in any penal institution in said State in the quarrying of raw material, or in the manufacturing of anything whatever that is an article of commerce in this State, except broken stone and materials for use on State or county roads, jute bags, and articles consumed exclusively in the State institutions; *provided*, that nothing in this Act shall prevent the working of any inmates of any State institution upon State or county roads; *provided further*, that the Board of State Prison Directors are hereby empowered and directed to sell broken or crushed stone for use on State or county roads to the proper authorities applying for the same, at actual cost of production.

SEC. 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

SEC. 3. This Act shall take effect and be in force from and after its passage.

KENNEALLY, Chairman Minority.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Ways and Means hereby introduce: An Act to provide for the payment of costs of suits in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor—respectfully report the same, and recommend that it do pass.

VALENTINE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee:

By Committee on Ways and Means: Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd, by the State Board of Examiners, and to appropriate money therefor.

Also: Senate Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic book-cases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School building at San José, California.

Also: Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

VALENTINE, Chairman.

Assembly Bills Nos. 109, 309, 31, 240 and 342, ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly

Bill No. 34 (without title)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be re-referred to Committee on Claims to correct their Amendment No 1.

VALENTINI, Chairman.

So ordered.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 171—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 170—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith presented do pass.

MELICK, Chairman.

Assembly Bill No. 171 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Melick: Assembly Bill No. 582 (Substitute for Assembly Bill No. 170)—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Read first time, and ordered on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and to define each class—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 169—An Act to amend Article IV, Section 2651 of the Political Code, relating to the General Road Fund and highway taxes—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith presented do pass.

MELICK, Chairman.

Assembly Bill No. 167 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Melick: Assembly Bill No. 583 (Substitute for Assembly Bill No. 169)—An Act to amend Section 2651 of the Political Code, relating to the general road fund and highway taxes.

Read first time, and ordered on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 71—An Act to repeal an Act entitled "An Act to create a Bureau of Highways, and prescribe its duties and powers, and to make an appropriation for its expenses," approved March 27, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn by the author.

MELICK, Chairman.

Assembly Bill No. 71 withdrawn by author.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly

Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California—have had the same under consideration, and respectfully report the same back, and recommend that the substitute bill herewith presented be adopted, and do pass.

MUENTER, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Labor and Capital: Assembly Bill No. 584 (Substitute for Assembly Bill No. 426)—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter.

Read first time, and placed on file for second reading.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 1, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Joint Resolution No. 10.

Also: Adopted Senate Joint Resolution No. 15—Relative to one Brigham H. Roberts, who has been chosen as a member of the House of Representatives—and respectfully ask your concurrence therein.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Joint Resolution No. 15 referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 37—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchases of State school lands.

Also: Adopted Senate Joint Resolution No. 14—Relative to the first regiment of California Infantry, United States Volunteers.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 37—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchases of State school lands.

Read first time, and referred to Committee on Claims.

Senate Joint Resolution No. 14 referred to Committee on Federal Relations.

At ten o'clock and fifteen minutes A. M., the Speaker called Mr. Valentine to the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Dunlap:

Resolved, That for and by reason of services rendered the Assembly by W. C. Guirey from January 2d to February 2d as File Clerk, the Controller of State is hereby directed to draw his warrant in favor of said W. C. Guirey for the sum of \$108, said sum being at the same rate per diem as is paid the Assistant Clerks at the desk; and the State Treasurer is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Nos 83, 4, 118, 44, 97, 121, and 166.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the

several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, pilot commissioners, and pilotage.

Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

RICKARD, Chairman.

Assembly Bills Nos. 4, 44, 83, 97, 118, 121, and 166 ordered on second-reading file.

RESOLUTIONS.

By Mr. Knights:

Resolved, That T. W. Measure be and he is hereby appointed Electrician at a per diem of \$4, commencing January 31, 1899. The Controller is hereby directed to draw his warrant, and the Treasurer directed to pay the same, payable out of the Contingent Fund of the Assembly.

Resolution adopted.

By Mr. Milice:

Resolved, That the Controller be and he is hereby directed to draw his warrant and the Treasurer pay the same out of the Contingent Fund of the Assembly in favor of J. Hocking for the sum of \$140, for services rendered as Clerk to Sergeant-at-Arms of the Assembly from January 4, 1899, to January 31, 1899.

Resolution adopted.

By Mr. Muentner:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your special committee, consisting of the committees on Labor and Capital, and State Prisons and Reformatory Institutions, have visited the State Prison at Folsom, Cal., as per resolution heretofore introduced and adopted, and the following are entitled to forty-four miles mileage, viz.: Messrs. Muentner, Kenneally, Works, Henry, Hoey, Atherton, Bliss, Beecher, Glenn, Fairweather, Knight (Clerk), Brooke (in lieu of Wade), and Milice (in lieu of Johnson);

Resolved, That the State Controller is hereby authorized to draw his warrant for the amount of \$57 20 in favor of A. E. Muentner, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Resolution adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Fairweather: Assembly Bill No. 585—An Act to amend Section 529 of the Code of Civil Procedure of the State of California, relating to injunctions, approved April 15, 1880.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 586—An Act to add a new section to the Penal Code of California, to be numbered 330½, prohibiting pool-selling, book-making, recording, receiving, forwarding, or registering bets or wagers, except within racetrack inclosures, State and

county fair grounds, and upon races between horses or dogs or other animals, when said races are conducted or run within said inclosures upon days when said pools are sold or said book-making is carried on, or when said bets or wagers are recorded, received, forwarded, or registered.

Read first time, and referred to Committee on Judiciary.

By Mr. Clough: Assembly Bill No. 587—An Act to add a new article to Chapter III, Part III, Title I of the Political Code of the State of California, to be designated as Article XX, relating to the compensation and traveling expenses of civil executive officers, employés, and agents of the State.

Read first time, and referred to Committee on Judiciary.

By Mr. Rickard: Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing and sparring matches, and prize or ring fights.

Read first time, and referred to Committee on Public Morals.

By Mr. Brown: Assembly Bill No. 589—An Act to establish and confirm the north boundary line of San Mateo County, between the counties of San Mateo and San Francisco, as the same was surveyed by Charles S. Tilton, William B. Gilbert, and D. Bromfield between August 28, 1898, and December 28, 1898, to be the true boundary line between the counties of San Mateo and San Francisco, California.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Dibble: Assembly Bill No. 590—An Act to establish a bureau of records of the War of the Rebellion, the National Guard of California, the Spanish-American War, and the preservation of records and relics, and authorizing the Adjutant-General to appoint a chief of such bureau and fixing the amount of his salary.

Read first time, and referred to Committee on Military Affairs.

By Mr. Wardell: Assembly Bill No. 591—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 592—An Act to amend Section 1970 of the Civil Code of the State of California, relating to the obligations of employés.

Read first time, and referred to Committee on Judiciary.

By Mr. Lardner: Assembly Bill No. 593—An Act to amend Section 1395 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

By Mr. Burnett: Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels for money due and owing to said Claus Spreckels from the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Knowland: Assembly Bill No. 595—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read first time, and referred to Committee on Judiciary.

By Mr. Belshaw: Assembly Bill No. 596—An Act to amend Section 3640 of the Political Code of the State of California, relating to Assessors' field enrollment book.

Read first time, and referred to Committee on County and Township Governments.

Also: Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorney-General of the State of California, and making an appropriation for the payment, and compilation, and indexing.

Read first time, and referred to Committee on Ways and Means.

By Mr. Wardell: Assembly Bill No. 598—An Act appropriating money to pay the claim of William Henry Murray, State Superintendent of Ramie Culture.

Read first time, and referred to Committee on Claims.

By Mr. Brown: Assembly Concurrent Resolution No. 14—Relative to providing appropriate exercises at the Assembly Chamber upon February 22, 1899, in memory of the birthday of George Washington, first President of the United States.

Read, and referred to Committee on Judiciary.

By Mr. Mead: Assembly Bill No. 599—An Act defining and regulating the appointment of local fire insurance agents, compelling them to obtain certificates from the Insurance Commissioners, designating their powers and duties, and prescribing penalties against persons violating its provisions, and against any such agent allowing or offering to allow rebates of the premiums specified therein.

Read first time, and referred to Committee on Corporations.

By Mr. Cosper (by request): Assembly Bill No. 600—An Act to add a new section to the Penal Code of this State, to be numbered —, relating to the preservation of game.

Read first time, and referred to Committee on Fish and Game.

RESOLUTION.

By Mr. Anderson:

ASSEMBLY JOINT RESOLUTION No. 14.

WHEREAS, Frank Basford, a native of California and a subject of the United States, in January, 1892, while engaged in otter-hunting in Pacific waters along the Asiatic coast, was lost and believed to have perished; and

WHEREAS, it is reported that he and his companions are now in servitude in Siberia; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Hon Henry T. Gage, Governor of the State of California, be requested to correspond with the Secretary of State of the United States, and that our Senators in Congress be requested to use their best endeavors with the Secretary of State, all to the end that the active agency of our government and of the diplomatic and consular services thereof may be enlisted in ascertaining the truth with reference to said report and in securing the release and return to their own country of the said Frank Basford and his companions, if they survive.

Read, and referred to Committee on Federal Relations.

SPECIAL FILE.

Assembly Bill No. 450—An Act to promote the purity of primary elections, and to punish offenses thereat.

Passed on file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof

and support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

The following committee amendment was submitted:

Amend Section 1, line 3, by striking out the word "eleven," and inserting in lieu thereof the word "two."

Amendment adopted:

Bill ordered to print, engrossment, and third reading.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Read second time, ordered to engrossment and third reading.

At ten o'clock and twenty-five minutes A. M., the Speaker resumed the chair.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Read second time, ordered to engrossment and third reading.

THIRD-READING FILE.

Assembly Bill No. 75—An Act entitled an Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions.

Passed on file.

At ten o'clock and fifty minutes A. M., the Speaker called Mr. Belshaw to the chair.

Assembly Bill No. 83—An Act regulating the hours of employment for laborers in sawmills, shingle-mills, shakemills, and logging camps.

Read third-time.

The question being on the final passage of the bill.

The roll was called, and pending the announcing of the result, Mr. Sanford moved a call of the House.

The ayes and noes were demanded by Messrs. Hoey, Brooke, and Sanford.

The result of the roll call was announced, and a call of the House refused by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cowan, Crowder, De Lancie, Dunlap, Fairweather, Feliz, Griffin, Hoey, Johnson, Kelsey, Kenneally, Mack, McDonald of Alameda, Mead, Melick, Merritt, O'Brien, Stewart, E. D. Sullivan, Wade, Wardell, White, and Works—33.

NOES—Messrs. Barry, Blood, Boynton, Cargill, Clough, Cobb, Conrey, Crowley, Dale, Glenn, Hanley, Jilson, Knowland, Le Baron, Lardner, McDonald of Tuolumne, Merrill, Meserve, Milice, Miller of Los Angeles, Pierce, Radcliff, Raw, Sanford, Valentine, and Wright—26.

The vote was announced, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Brooke, Brown, Caminetti, Cowan, De Lancia, Dunlap, Fairweather, Feliz, Griffin, Henry, Hoey, Johnson, Kelsey, Kenneally, Mack, McDonald of Alameda, Melick, Merritt, Muentner, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—28.

NOES—Messrs. Barry, Belshaw, Bliss, Blood, Boynton, Cargill, Chynoweth, Clough, Cobb, Conrey, Crowder, Crowley, Dale, Dibble, Glenn, Hanley, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raw, Rickard, Valentine, Wade, Works, and Wright—36.

NOTICE OF RECONSIDERATION.

Mr. Sanford gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 83 was this day refused final passage.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School-Book Fund, and providing for its expenditure.

Passed on file.

LEAVE OF ABSENCE.

Mr. Boone was granted leave of absence for three days, on motion of Mr. Cowan.

RESOLUTION—(OUT OF ORDER).

By Mr. Radcliff:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to properly distribute on the desks of all the members copies of each amended bill before final action is taken on the same.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Passed on file.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Read third time.

Mr. O'Brien moved to amend as follows:

Amend by striking out the word "four," in line 31, page 2, of printed bill, and inserting in lieu thereof the word "two"; also, by striking out the word "four," in line 33, page 2, printed bill, and inserting in lieu thereof the word "two."

Amendment lost.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Barry, Bliss, Boynton, Brown, Caminetti, Crowley, Devoto, Dibble, Dunlap, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knowland, Mack, McDonald of Alameda, McKeen, Merrill, Miller of San Francisco, Muentner, Rickard, E. D. Sullivan, Valentine, Wardell, White, Works, Wright, and Mr. Speaker—32.

NOES—Messrs. Atherton, Beecher, Belshaw, Blood, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Dale, De Lancia, Fairweather, Feliz, Glenn, Jilson, Le Baron, Lardner, Marvin, McDonald of Tuolumne, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raw, Robinson, Sanford, Stewart, and Eugene Sullivan—32.

NOTICE OF RECONSIDERATION.

Mr. Cobb gave notice that he would to-morrow move to reconsider the vote whereby Assembly Bill No. 118 was this day refused final passage.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

RECESS.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Dale, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

The Assembly reconvened at eleven o'clock and fifty-eight minutes A. M. Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER, }
Thursday, February 2, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—33.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Fehz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, February 1, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, February 1, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—11.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	11 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentter—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	18 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	114
Necessary to a choice	58
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	29 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

Senator Braunhart moved to adjourn.

Motion lost.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Curtin, Gillette, Simpson, and Taylor—4.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Stratton, and Trout—7.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—11.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	11 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Clough, Knights, Knowland, Lardner Muentner, and Mr Speaker—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	18 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	114
Necessary to a choice	58
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	29 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., Senator Leavitt moved that the Joint Assembly do now adjourn until Friday, February 3, 1899.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Friday, February 3, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty-seven minutes P. M., the Speaker declared a recess of the Assembly until two o'clock P. M.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF COMMITTEE ON CLAIMS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 34—An Act for the relief of W. C. Guirey—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

WILLIAM McDONALD, Chairman.

Assembly Bill No. 34 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Passed on file.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Passed on file.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Clark, Cobb, Cosper, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—60.

NOES—Mr. Conrey—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Huber gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 44 was this day finally passed.

Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Read third time.

The question being on the final passage of the bill.

The bill was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, pilot commissioners, and pilotage.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Clough, Conrey, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—65.

NOES—Messrs. Huber and Wright—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report

that the following bill has been correctly engrossed: Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

RICKARD, Chairman.

Assembly Bill No. 249 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 249—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Burnett moved to reconsider the vote whereby Assembly Bill No. 139 was on yesterday finally passed.

Motion lost.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Muentner, O'Brien, Raub, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—61.

NOES—Messrs. Crowder, Fairweather, Miller of San Francisco, Radcliff, Raw, and Eugene Sullivan—6.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills 12, 176, 322, 395, and 349.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

RICKARD, Chairman.

Assembly Bills Nos. 12, 176, 322, 395, and 349 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railway and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, page 26), relating to assessing and collecting said taxes.

Passed on file.

Assembly Bill No. 301—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by amending Sections 1 and 2 thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr Speaker—63.

NOES—None.

Title read and approved.

Assembly Bill No. 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown,

Burnett, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—64.

NOES—Mr. Barry—1.

Title read and approved.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act; and liens on property in certain cases arising under this Act.

Passed on file.

Assembly Bill No. 32—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Griffin, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knowland, LaBarea, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—57.

NOES—Messrs. Fairweather and Feliz—2.

Title read and approved.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Devoto, Feliz, Glenn, Hanley, Hoey, Jilson, Johnson, Kelley, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—52.

NOES—Mr. Huber—1.

Title read and approved.

MOTION TO ADJOURN.

At three o'clock and fifty minutes P. M., Mr. Blood moved to adjourn.
Motion lost.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any State prison or State reformatory, or within the grounds of such institution, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of

any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—62.

NOES—Mr. Huber—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Valentine:

Resolved, That A. C. Vignes be paid \$30 as compensation for his services as Sergeant-at-Arms for the Ways and Means Committee from January 21, 1899, to January 31, 1899.

Referred to Committee on Attachés and Employés.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee as follows:

By Mr. White: Assembly Bill No. 601—An Act to add fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Read first time, and referred to Committee on Election Laws.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, February 3, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 3, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan,

Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

Mr. Clark was granted a leave of absence for one day, on motion of Mr. Kelsey.

Mr. Kelley was granted a leave of absence for one day, on motion of Mr. Bliss.

Mr. Miller of San Francisco asked a leave of absence for himself for Saturday, February 4, 1899.

Leave granted.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNAL.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Wednesday, February 1, 1899, was read and approved.

PETITION.

By Mr. Radcliff:

To the Senate and Assembly of the Legislature of California

We, the undersigned, residents of Santa Cruz County, California, respectfully ask your honorable body to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

Signed by thirty-one residents of said county.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to executions.

Also: Assembly Bill No. 433—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Also: Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Also: Assembly Bill No. 200—An Act to prevent monopolies in articles or commodities of common use and prohibit restraints of trade and commerce, and providing penalties for violations of the provisions of this Act.

Report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 221—An Act to create a State Board of Accountancy, prescribe its duties and powers, and to provide for the examination of and issuance of certificates of registration to qualified applicants, with the designation of Registered Public Accountants—report the same back without recommendation

Also: Assembly Bill No. 359—An Act to amend Section 473 of the Code of Civil Procedure of the State of California, relating to relief from judgments, orders, or proceedings—report the same back, with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 142—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated—report the same back, and recommend that it be referred to Committee on Election Laws

Also: Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An

Act to establish a Political Code" approved March 12, 1872, to be numbered respectively Sections 248 and 249, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary Committee thereof—report the same back, with an amendment, and recommend its passage as amended.

JOHNSON, Chairman.

Assembly Bills Nos. 432, 433, 244, 200, 221, 359, 416, and 142 ordered on second-reading file.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 504—An Act to amend Sections 21, 22, 26, 28, 42, and 57 of an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MILUCE, Chairman.

Assembly Bill No. 504 ordered on second-reading file.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 168—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts—have had the same under consideration, and respectfully report the same back, and recommend that the substitute presented herewith do pass.

MELICK, Chairman

Assembly Bill No. 168 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 602 (Substitute for Assembly Bill No. 168)—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 203—An Act to promote the apiculture interest of the State by providing county inspectors of apiaries, and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of the State to appoint inspectors of apiaries, and provide for the duties and for the further protection of bee culture," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 152—An Act to regulate the sale of commercial fertilizer, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

BOYNTON, Chairman.

Assembly Bill No. 203 ordered on second-reading file.

Assembly Bill No. 152 withdrawn by author.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 144—An Act concerning registration for primary elections.

Also: Assembly Bill No. 341—An Act to add thirteen sections to the Political Code of this State, to be known and designated as Sections 1366, 1367, 1368, 1369, 1370, 1371, 1372,

1373, 1374, 1375, 1376, 1377, and 1378, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 143—An Act to amend Section 1188 of the Political Code, relating to conventions—have had the same under consideration, and respectfully report the same back, and recommend that the same, as amended, do pass.

Also Assembly Bill No. 141—An Act providing for the use of separate ballot-boxes for each political party at primary elections—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same.

BELSHAW, Chairman.

Assembly Bills Nos. 144, 341, and 143 ordered on second-reading file.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 239—An Act concerning erection of barbed wire fences, and prescribing penalty.

Also: Assembly Bill No. 452—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 31, 1897, by amending Section 1 thereof."

Have had the same under consideration, and respectfully report the same back, and recommend that the authors withdraw the same.

BOYNTON, Chairman

Assembly Bill No. 259 withdrawn by author.

Assembly Bill No. 452 ordered on second-reading file.

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 304—An Act for the more effectual prevention of cruelty to animals—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the bill.

Also: Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs to children," approved March 29, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MILLER, Chairman.

Assembly Bills Nos. 300, 304, and 299 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 93—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes—have had the same under consideration, and respectfully report the same back, and recommend that it be amended as per printed copy, and without further recommendation.

Also: Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same.

MILLER, Chairman.

Assembly Bills Nos. 93 and 283 ordered on second-reading file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 109—An Act empowering Boards of Supervisors to construct, recon-

struct, and change the location of, and enter into contracts concerning bridge or bridges across navigable streams or waterways in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNOWLAND, Chairman.

Assembly Bill No. 109 ordered on second-reading file.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's, along the western shore of Lake Tahoe, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 48—An Act repealing an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897.

Also: Assembly Bill No. 129—An Act to amend Section 5 of an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897.

Also: Assembly Bill No. 201—An Act to amend an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897, by amending Section 5 of said Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn by the authors, and that the substitute herewith presented do pass.

MELICK, Chairman.

Assembly Bill No. 417 referred to Committee on Ways and Means.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER. Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBINSON, Chairman.

Assembly Bill No. 385 ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin for advertising the constitutional amendments for the year 1896—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be referred to the Committee on Ways and Means.

WM. McDONALD, Chairman.

Assembly Bill No. 94 referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.—have had the same under consideration, and respectfully report the same back, and recommend that the bill do pass, and that same be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 238—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also: Assembly Bill No. 476—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended, and that same be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 311—An Act to ascertain the amount and provide for the payment of damages done to the property of J. C. Ziegler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased, Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

WM. McDONALD, Chairman.

Assembly Bills Nos. 314, 238, 476, and 477 referred to Committee on Ways and Means.

Assembly Bill No. 311 referred to Committee on Judiciary.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 182, 5, and 181.

Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, p. 26), relating to assessing and collecting said taxes.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Assembly Bill No. 181—An Act to provide for vacating and closing up any park, plaza, public square, or other public reservation not belonging to the State, and not situated within any municipality.

RICKARD, Chairman.

Assembly Bills Nos. 182, 5, and 181 ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 127—An Act to provide for the purchase of additional lands for the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Also: Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education.

Also: Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman.

Assembly Bills Nos. 127, 274, 211, and 124 ordered on second-reading file.

Assembly Bill No. 443 referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Ways and Means hereby introduce the following bills: An Act making an appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Also: An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc.

Also: An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

And respectfully recommend that they do pass

VALENTINE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 604—An Act making an appropriation to pay the expenses incurred for the funeral of late State Treasurer Levi Rackliffe.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER. Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 7—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 74—An Act creating a live stock sanitary commission for the State of California, to protect the health of domestic animals of the State from all infectious or contagious diseases—have had the same under consideration, and respectfully report the same back with substitute therefor, and recommend that substitute do pass.

CARGILL, Chairman.

Assembly Bills Nos. 7, 15, and 607 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Public Health and Quarantine: Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Joint Resolution No. 8—Relative to the irrigation of arid lands—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

MILICE, Chairman.

Senate Joint Resolution No. 8 ordered on Senate special file.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 14—Relative to the First Regiment of California Infantry, United States Volunteers.

Also: Senate Joint Resolution No. 15—Relative to Brigham H. Roberts.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

DALE, Chairman.

Senate Joint Resolutions Nos. 14 and 15 ordered on special file.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 422—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved March 31, 1897, by amending Section 1 thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw same, and we hereby offer a committee substitute for the same, and recommend that it do pass.

BOYNTON, Chairman.

Assembly Bill No. 422 withdrawn by the author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Agriculture: Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State. and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 31, 1897," relating to the classification of counties into agricultural districts.

Read first time, and ordered on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 457—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit—have had the same under consideration, and respectfully report the same back, and recommend that the substitute bill herewith presented be adopted and do pass.

BROWN, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on State Library: Assembly Bill No. 609 (Substitute for Assembly Bill No. 457)—An Act to amend Section 623 of the Penal

Code, and to add a new section to the Penal Code, to be known as Section 623½, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, exhibit, or other public place.

Read first time, and placed on second-reading file.

Assembly Bill No. 176 withdrawn by the author.

Mr. Cobb moved that Assembly Bill No. 119 be recalled from Committee on County and Township Governments, and re-referred to Committee on Judiciary.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 7—Relative to false branding of food products.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant.

Senate Joint Resolution No. 7 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Johnson: Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and vaults therein, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872, and to repeal an Act entitled, "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 9, 1887, and to repeal an Act entitled "An Act to amend Sections 1, 5, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 612—An Act to amend Section 537 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 613—An Act requiring hotel and lodging-house keepers to keep ropes in sleeping-rooms to facilitate escape in case of fire.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 614—An Act to pay the claim of the Liverpool and London and Globe Insurance Company against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Wright: Assembly Bill No. 615—An Act to protect all citizens in their civil and legal rights.

Read first time, and referred to Committee on Judiciary.

By Mr. Kenneally: Assembly Bill No. 616—An Act to provide for

the purchase of new carpets, draperies, and furniture for the Senate and Assembly Chambers, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set standpipes, tanks, filter, and lay pipes in the Capitol grounds.

Read first time, and referred to Committee on Ways and Means.

By Mr. Barry: Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

Read first time, and referred to Committee on Ways and Means.

By Mr. Blood: Assembly Bill No. 619—An Act for the protection of forests, growing crops, buildings, and other properties from destruction by fire.

Read first time, and referred to Committee on Public Lands and Forestry.

By Mr. Stewart: Assembly Bill No. 620—An Act providing for the construction of a State highway, or free wagon road, from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County, to connect with the most desirable public road leading to the Yosemite Valley, providing for the appointment of a Board of Commissioners, and authorizing and directing said Board of Commissioners to perform certain duties relating to the construction of such highway, and to condemn land and property for the purpose aforesaid, and making an appropriation for the expenditures and purposes provided in this Act.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Meserve: Assembly Bill No. 621—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as Section 605, relating to the formation of religious corporations for holding and administering church property.

Read first time, and referred to Committee on Judiciary.

By Mr. Brooke: Assembly Bill No. 622—An Act to amend an Act entitled "An Act to appropriate money for the support of orphans, half orphans, and abandoned children," approved March 25, 1880.

Read first time, and referred to Committee on Ways and Means.

By Mr. Cowan: Assembly Bill No. 623—An Act to amend Sections 330, 331, and 337 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Dunlap: Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase live stock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk and

suitable fencing along California and Park Streets, in the City of Stockton, around the lands occupied by the State Hospital.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 626—An Act to pay the claim of Frank D. Cobb against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Melick: Assembly Bill No. 627—An Act to amend Section 876 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Milice: Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and secure the site, and submit sketch plans and specifications therefor, to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes looking to the confinement of incorrigibles at the Folsom State Prison, to enlarge said prison for that purpose, and to the confinement of those capable of reformation at such reformatory when established, and to make an appropriation for such purposes.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Fairweather: Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe lines.

Read first time, and referred to Committee on Judiciary.

By Mr. Griffin: Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water, sprinkling, and pumping plant in the Yosemite Valley.

Read first time, and referred to Committee on Ways and Means.

By Mr. Jilson: Assembly Bill No. 631—An Act to prohibit the collection of deposits or payments by gas companies, corporations, or persons supplying gas, as a condition to the supplying of gas, and providing a penalty therefor.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 632—An Act to amend Section 629 of the Civil Code, relating to gas corporations.

Read first time, and referred to Committee on Corporations.

By Mr. McDonald of Tuolumne: Assembly Joint Resolution No. 15—Relative to the building of a submarine cable from San Francisco to Honolulu, Japan, and the Philippine Islands.

Read and referred to Committee on Federal Relations.

By Mr. Johnson: Assembly Joint Resolution No. 16—Relative to the relief of certain owners of timber lands in the Yosemite Valley National Park Reservation.

Read and referred to Committee on Federal Relations, together with a petition in favor of said resolution.

By Mr. Anderson: Assembly Joint Resolution No. 17—Relative to revenue and taxation.

Read, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of \$30 and the Treasurer is instructed to pay the same from the Contingent Fund of the Assembly in favor of Walter Trefry for his services as Sergeant-at-Arms of the Judiciary Committee from January 21, 1899, to January 31, 1899.

Referred to Committee on Attachés and Employés.

By Mr. Melick:

Resolved, That Charles Prince be paid \$72 as compensation for his services as Porter for the Assembly from January 9, 1899, to February 1, 1899.

Referred to Committee on Attachés and Employés.

By Mr. Kelsey:

Resolved, That for and by reason of services rendered the Assembly by Ed. J. Smith from January 2d to February 2d (both days inclusive) as Assistant Clerk at the desk, the Controller of State is hereby directed to draw his warrant in favor of said Ed. J. Smith for the sum of one hundred and eighty-six dollars (\$186), said sum being at the same rate per diem as is paid the other Assistant Clerks at the desk, and the State Treasurer is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Cosper:

Resolved, That the Committee on Attachés and Employés be and they are hereby instructed to make all necessary inquiries and investigations, and report to the Assembly as early as practicable the names of any and all attachés and employés who are under pay and have as yet performed no work; also, those who have shirked a proper amount of work

Adopted.

By Mr. Pierce:

WHEREAS, On the 13th day of January, 1899, the Speaker authorized the appointment of Ralph Schleur and Emmet Rhodes as Pages, to fill an urgent need for more Pages; and

WHEREAS, As they have served faithfully and well in the positions to which they were assigned; it is

Resolved, That their appointment be and it is hereby confirmed, and the Controller is hereby directed to draw his warrant in favor of Ralph Schleur and Emmet Rhodes for \$45, the same being based on a per diem of \$2 50, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Henry:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$306 55, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per attached vouchers:

John Breuner	\$12 50
Tom Scott	36 90
John Breuner	15 25
Capital Electric Works	161 90
John Breuner	45 25
John Breuner	34 75
	<hr/>
	\$306 55

Referred to Committee on Ways and Means.

By Mr. Glenn:

WHEREAS, By the death of the Hon. John Boggs the State has lost one of its earliest and foremost citizens, one whose integrity, uprightness, manhood, and many sterling public virtues and private graces and qualities brought reputation to himself and honor to the State; therefore, be it

Resolved by the Assembly of the State of California, That the announcement of the death of the Hon. John Boggs, late State Senator of California, has been received by

this body with profound sorrow and regret; that by his death the State of California has lost a distinguished Senator, and a diligent, faithful citizen and public servant, whose unstained integrity, exalted intelligence, steadfast devotion and unswerving loyalty to her interests have made his name a household word, and have earned for him a warm place in the hearts of all true Californians; that the Assembly deeply sympathizes with the bereaved family in the loss of a true and affectionate husband and a kind and indulgent father; that the Speaker of the House be and he is directed to transmit to the family of the deceased a copy of these resolutions duly attested.

Mr. Belshaw moved that the resolution be adopted by a rising vote.
Resolution unanimously adopted.

Mr. Valentine moved that the resolution be engrossed.

So ordered.

By Mr. Knights:

Resolved, That the resolution offered by Mr. Knights, and printed on page 6 of yesterday's Journal, be amended by striking out the word "contingent" and inserting in lieu thereof the words "officers and clerks"

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés beg leave to report herewith the assignments of clerks and official stenographers, under the provisions of Rule 75, as follows:

Stenographers:

Mr. J. F. Gawthorne, room 24, to the following committees: Rules and Regulations, Engrossment and Enrollment, Fish and Game, Irrigation, Manufactures and Internal Improvements, Attachés and Employés, Military Affairs, Election Laws, and Public Printing.

Mr. Herman de Laguna, room 24, to the following committees: Corporations, Municipal Corporations, Mileage, Swamp and Overflowed Lands, Federal Relations, State Library, Dairies and Dairy Products, Public Morals, and Public Lands and Forestry.

Miss Ethel Thomas, room 73, to the following committees: County and Township Governments, Agriculture, Claims, Commissions and Public Expenditures, Counties and County Boundaries, Labor and Capital, Public Buildings and Grounds, Public Works, State Capitol and Parks, and State Prisons and Reformatory Institutions.

Miss May Giles, room 73, to the following committees: Fruit and Vine Interests, Banks and Banking, Commerce and Navigation, Contested Elections, Education, Mines and Mining, Public Health and Quarantine, State Hospitals and Asylums, and Roads and Highways.

Clerks:

The following named persons are assigned to the committees set opposite their respective names:

Mrs. B. J. Eddy	State Library, and Federal Relations.
P. L. Glass	Election Laws.
J. J. Hall	Public Health and Quarantine.
H. B. Knight	Labor and Capital, and Swamp and Overflowed Lands.
J. F. Glover	Claims.
S. M. Cosper	Contested Elections.
E. L. Kelsey	Man. and Int. Imp., and Counties and County Boundaries.
J. Breen	Attachés and Employés.
L. A. Hilborn	Corporations, and Municipal Corporations.
C. E. Sweezy	Irrigation.
Mrs. Ann Chynoweth	Public Buildings and Grounds.
E. J. Casey	Rules and Regulations.
W. T. Knorp	Engrossment and Enrollment.
P. H. Tyler	County and Township Governments.
Robert Clark	Mileage.
O. Lynch	Public Lands and Forestry.
John Hilgard	Fish and Game.
L. M. Sexton	Public Morals.

Report ordered printed in the minutes, to lay over one day.

RESOLUTIONS.

By Committee on Attachés and Employés:

Resolved, That the Controller be, and he is hereby, authorized to draw his warrant for the sum of \$30, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly in favor of Walter Trefry, for his services as Sergeant-at-Arms of the Judiciary Committee from January 21 to January 31, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés respectfully present the foregoing, and do recommend that it be adopted.

LUNDQUIST, Chairman.

Resolution adopted.

By Committee on Attachés and Employés (substitute for resolution by Mr. Valentine):

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of \$30, and the Treasurer is instructed to pay the same from the Contingent Fund of the Assembly, in favor of A. C. Vignes, for his services as Sergeant-at-Arms of the Ways and Means Committee from January 21 to January 31, 1899.

Resolution adopted.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Sub Committee on Claims, authorized to visit Dutch Flat for the purpose of investigating the validity of certain claims presented to this Assembly, having visited Dutch Flat and having made their report, herewith present the bill of expense of such visit, to wit:

Burnett	\$14 90
Merrill	14 90
William McDonald	14 90
Total	\$44 70

And offer the following resolution:

Resolved, That the Controller be and he hereby is directed to draw his warrant on the Treasurer in favor of William McDonald, chairman of said committee, for the sum of \$44 70, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

WILLIAM McDONALD, Chairman.

Resolution adopted.

By Mr. Raw:

WHEREAS, The Committee on Municipal Corporations have a number of bills in the committee to be reported upon; and

WHEREAS, Said committee has no Committee Clerk assigned; and

WHEREAS, Speaker Wright on the 19th day of January, 1899, authorized the chairman of said committee to appoint a clerk for said committee; and

WHEREAS, The chairman appointed one Miss M. Peterson, who has been on duty as clerk of said committee from the above date, but has received no pay for such services; now, therefore, be it

Resolved, That the said Miss M. Peterson be paid from the above named date for her services from the Contingent Fund of the Assembly, and that she be retained on said committee as clerk during the session.

Referred to Committee on Attachés and Employés.

MOTION TO RECONSIDER.

Mr. Cobb moved to reconsider the vote whereby Assembly Bill No. 118 was on yesterday refused final passage.

Motion carried.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Boynton, Brooke, Brown, Caminetti, Cobb, Crowder, Crowley, De Lantie, Devoto, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lundquist, Mack, McDonald of Alameda, McKeen, Merrill, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—45.

NOES—Messrs. Atherton, Belshaw, Blood, Burnett, Cargill, Clough, Conrey, Cowan, Dale, Fairweather, Feitz, Le Baron, Lardner, Marvin, Merritt, Meserve, Miller of Los Angeles, Radcliff, Robinson, and Sanford—20.

Title read and approved.

SPECIAL FILE.

Assembly Bill No. 450—An Act to promote the purity of primary elections, and to punish offenses thereat.

Passed on file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Withdrawn by author.

Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

Passed on file.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Passed on file.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Passed on file.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Mr. Dibble moved that Assembly Bill No. 349 be referred to a committee of one with instructions to amend as follows:

Strike out the word "for" in line 10 of Section 1 of printed bill, and insert the words: "before or after."

Also: Strike out the word "by" in line 12, Section 2 of printed bill, and insert the word "under"

Also: Strike out the word "by" in line 10, Section 1, and insert the word "under."

So ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be num-

bered 63 and 63½, respectively—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 349 ordered to print, reëngrossment, and third reading.

At eleven o'clock and thirty minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

REPORTS OF STANDING COMMITTEES.

MAJORITY REPORT OF JOINT COMMITTEE ON LABOR AND CAPITAL, AND STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, ———, 1899

MR. SPEAKER: Your Joint Committee on Labor and Capital and State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions"—and substitute and amendments thereto—have had the same under consideration, and respectfully report the same back, and recommend that the substitute of Mr. Dibble for the amendment of Mr. Knights to the amendment of Mr. Anderson be not adopted; that the amendment of Mr. Knights to the amendment of Mr. Anderson be adopted; that the amendment of Mr. Anderson, as amended by the amendment of Mr. Knights thereto, be adopted; that the bill as amended by the amendment of Mr. Anderson and the amendment of Mr. Knights thereto, do pass.

MUENTZ,

Chairman Committee on Labor and Capital.

ATIERTON,

Chairman Committee on State Prisons and Reformatory Institutions.

MINORITY REPORT OF JOINT COMMITTEE ON LABOR AND CAPITAL, AND STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, ———, 1899.

MR. SPEAKER. The minority of your Committee on Labor and Capital and State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 75—"An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions"—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith affixed do pass.

SUBSTITUTE FOR ASSEMBLY BILL No. 75.

An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce other than jute bags, and broken stone and materials for State or county roads only, and articles consumed in the State institutions."

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. It shall be unlawful for the Board of State Prison Directors or the State prison authorities at Folsom, or any other State penal institution in the State of California, to engage or employ any person confined or employed in any penal institution in said State in the quarrying of raw material, or in the manufacturing of anything whatever that is an article of commerce in this State, except broken stone and materials for use on State or county roads, jute bags, and articles consumed exclusively in the State institutions; *provided*, that nothing in this Act shall prevent the working of any inmates of any State institution upon State or county roads; *provided further*, that the

Board of State Prison Directors are hereby empowered and directed to sell broken or crushed stone for use on State or county roads to the proper authorities applying for the same, at actual cost of production.

SEC. 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

SEC. 3. This Act shall take effect and be in force from and after its passage.

KENNEALLY, Chairman.

Mr. Anderson moved that the minority report be substituted for the majority report.

Pending consideration, Mr. Anderson moved the previous question.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Wright, Kenneally, and Anderson.

The roll was called, and the previous question denied by the following vote:

AYES—Messrs. Arnerich, Barry, Devoto, Dibble, Feliz, Greenwell Henry, Hoey, Kenneally, Knowland, Lardner, Lundquist, Marvin, McKeen, Mead, Merrill, Miller of San Francisco, O'Brien, Rickard, and Valentine—20.

NOES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Conrey, Cowan, Crowder, Dale, De Lancie, Dunlap, Fairweather, Glenn, Griffin, Hanley, Johnson, Knights, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Melick, Meserve, Milice, Miller of Los Angeles, Muenter, Pierce, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, White, and Works—41.

Mr. Anderson moved that Assembly Bill No. 75 be referred to the Joint Committee on Labor and Capital, and State Prisons and Reformatory Institutions.

So ordered.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Dibble, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened.

Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,

Friday, February 3, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to

order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunnhart, Bulla, Burnett, Chapman, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, February 2, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, February 2, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. J. Barnes—Senators Dickinson, Morehouse, and Stratton—3.

For R. N. Bulla—Senators Gillette, Simpson, and Taylor—3.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunnhart, Chapman, Doty, Dwyer, Hall, Langford, La Rue, and Prisk—9.

Whole number of votes cast by Senators	33
W. H. J. Barnes received.....	3 votes.
R. N. Bulla received.....	3 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	9 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barce, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr—Messrs. Bliss, Blood, Cargill, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—19.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr Brooke—1.
For Stephen M. White—Messrs. Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr, received	19 votes.
Stephen M. White received	18 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	108
Necessary to a choice	55
W. H. L. Barnes received	10 votes
M. M. Estee received	1 vote.
R. N. Bulla received	12 votes
D. M. Burns received	24 votes
C. N. Felton received	1 vote.
U. S. Grant, Jr, received	26 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	27 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Assemblyman Dibble moved that the Joint Assembly do now adjourn until Saturday, February 4, 1899.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, February 4, 1899.

IN ASSEMBLY.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Dunlap:

MR. SPEAKER: I move that the resolution introduced by myself yesterday be amended so as to read as follows, viz.:

Resolved, That for and by reason of services rendered the Assembly by W. C. Guirey from January 2d to February 2d, both days inclusive, as File Clerk, the Controller of State is hereby directed to draw his warrant in favor of said W. C. Guirey for the sum of one hundred and eighty-six dollars (\$186), said sum being at the same rate per diem as is paid the Assistant Clerks at the desk; and the State Treasurer is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

Resolution adopted.

By Mr. Arnerich:

WHEREAS, The Committee on Counties and County Boundaries have had and now have before them several bills, and said committee having had no regular clerk, and the chairman requested and appointed Lloyd Childs to act as clerk, who did so act and perform the duties of clerk of the committee; therefore, be it

Resolved, That the committee be directed to draw his warrant in favor of said Lloyd Childs for such services from January 10th to February 1st (both days inclusive), and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly, and that said Childs shall continue and act as such clerk of said committee.

Referred to Committee on Attachés and Employés.

REPORT AND RESOLUTION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your committee appointed to attend the funeral of the late Senator Boggs herewith present the bill of expense, to wit:

Caminetti	\$18 00
Le Baron	18 00
Glenn	18 00
Sanford	18 00
Total	\$72 00

And offer the following resolution:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. B. Sanford, chairman of said committee, for the sum of \$72, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

SANFORD, Chairman.

Report adopted.

SENATE SPECIAL FILE.

Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole for the purpose of considering Senate Bill No. 109.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 109 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor—and do now report the same with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, line 4, by striking out the word "three" and inserting in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, line 1, by striking out the word "three" and inserting in lieu thereof the word "five," all in the copy of the printed bill.

Amendment adopted.

Senate Bill No. 109 ordered to print and third reading.

THIRD-READING FILE.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file, but to retain place on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be

known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Read third time.

Mr. Works moved to refer to a select committee of one, with instructions to amend as follows:

AMENDMENT No. 1.

Amend the bill by striking out the following, beginning in line 1 thereof: "An Act entitled 'An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a.'"

AMENDMENT No. 2.

Amend the title by striking out the word "a" in line 4 thereof, and inserting in lieu thereof the word "the."

AMENDMENT No. 3.

Amend the title by striking out the following, beginning in line 4 thereof: "Said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego, approved March 18, 1889."

AMENDMENT No. 4.

Amend by striking out the words "above entitled Act," line 2 of Section 1, and inserting in lieu thereof the words "Political Code."

AMENDMENT No. 5.

Amend by striking out the words "above entitled Act" in line 2 of Section 2 and inserting in lieu thereof the words "Political Code."

AMENDMENT No. 6.

Amend by striking out the words "above entitled Act" in line 2 of Section 3 and inserting in lieu thereof the words "Political Code."

AMENDMENT No. 7.

Amend by striking out the words "above entitled Act," beginning in line 1 of Section 4, and inserting in lieu thereof the words "Political Code."

AMENDMENT No. 8.

Amend by striking out the words "above entitled Act" in line 2 of Section 5 and inserting in lieu thereof the words "Political Code."

AMENDMENT No. 9.

Amend by striking out the words "above entitled Act," beginning in line 1 of Section 6, and inserting in lieu thereof the words "Political Code."

So ordered.

Mr. Works was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

WORKS, Committee.

Report adopted.

Assembly Bill No. 30 ordered to print and reëngrossment, and to retain its place on file.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as “short weight,” and to prevent deception in the use of designs or brands.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 91—An Act to amend Section 752 of an Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

Passed on file.

Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, page 26), relating to assessing and collecting said taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Americh, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Grillin, Hanley, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muerter, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

COMMUNICATION AND CERTIFICATE.

IN RE MILTON J. GREEN CONTEMPT PROCEEDINGS.

SACRAMENTO, Cal, February 3, 1899.

This is to certify that Milton J. Green is still under my professional care, and that his condition is not such as to justify his examination by the Assembly to-day.

I further certify that he has not sufficiently recovered his strength to enable him to appear to day at the bar of the House with safety to his health.

F. W. HATCH, M.D.

Mr. Johnson moved that the matter be continued and made special order for Monday, February 6, at two o'clock and thirty minutes P. M.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled “An Act for the more effectual prevention of cruelty to animals,” approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the

provisions of said Act, and liens on property in certain cases arising under this Act.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Caminetti, Clough, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Assembly Bill No. 366—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of or work done for the State of California, or any political subdivision thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Conrey, Cosper, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—58.

NOES—Messrs. Clough and Melick—2.

Title read and approved.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Read third time.

Passed on file, but to retain place on file.

Assembly Bill No. 373—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Conrey, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Henry, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 58—An Act to amend Sections 3546 and 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 181—An Act to provide for vacating and closing

up of any park, plaza, public square, or other public reservation, not belonging to the State, and not situated within any municipality.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brooke, Caminetti, Cargill, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Greenwell, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—50.

NOES—Messrs. Dunlap, Feliz, Muentner, and Pierce—4.

Title read and approved.

Assembly Bill No. 151—An Act supplemental to an Act entitled “An Act to authorize the incorporation of rural cemetery associations,” approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Passed on file.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed—Assembly Bills Nos. 151, 246, 53, 172, 261, and Constitutional Amendment No. 6.

Assembly Bill No. 151—An Act supplemental to an Act entitled “An Act to authorize the incorporation of rural cemetery associations,” approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges, and officers connected with the Supreme Court.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Constitutional Amendment No. 6—Proposed Amendment to Article XIII, relative to exempting from taxation churches and chapels.

RICKARD, Chairman.

Assembly Bills Nos. 151, 246, 53, 172, 261, and Constitutional Amendment No. 6, ordered on second-reading file.

SENATE JOINT RESOLUTION No. 12.

Relative to improvement of San Pablo Bay.

WHEREAS, It has been determined, as a result of an official survey of the Coast and Geodetic Survey, as shown on their chart of August, 1898, that a shoal exists in San Pablo Bay, between Lone Tree Point and Point Pinole; and

WHEREAS, San Pablo Bay is the waterway between the Golden Gate and Carquinez Straits, having commerce aggregating millions of dollars annually;

THEREFORE, In the interest of commerce, the development of the State as a whole,

and to insure the safety of our naval vessels going to and coming from Mare Island Navy Yard, be it

Resolved by the Senate and Assembly, jointly, That our Senators in Congress be instructed, and our Representatives requested, to use all their efforts to have the necessary dredging done and to secure an appropriation therefor.

Resolved, That a copy of these resolutions be forwarded by the Secretary of the Senate to our representatives in Congress.

Senate Joint Resolution No. 12 adopted.

ASSEMBLY JOINT RESOLUTION No. 8.

Relative to the completion of the jetty in San Diego Bay, etc.

WHEREAS, The United States Government has expended a large sum of money in the partial construction of a jetty at the mouth of San Diego Bay; and

WHEREAS, The growing importance of the commerce of the Pacific Coast in general, and of the City of San Diego in particular, demands that said jetty be completed; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be and they are hereby instructed, and our Representatives be and they are hereby requested, to use all honorable means to secure a sufficient appropriation for the completion of the Government jetty now partially constructed at the mouth of San Diego Bay;

Resolved further, That the Chief Clerk of the Assembly be and he is hereby instructed to mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Assembly Joint Resolution No. 8 adopted.

ASSEMBLY JOINT RESOLUTION No 10

Relative to setting over and establishing granite posts to mark a true boundary line between the States of California and Nevada.

WHEREAS, The Congress of the United States has heretofore appropriated money for and has caused a resurvey of that portion of the boundary line between the States of Nevada and California as lies between Lake Tahoe and the southeasterly corner of San Bernardino County, in the State of California; and

WHEREAS, Said resurvey has been made and temporary posts placed along the new boundary line thus resurveyed, clearly establishing and defining the true and correct line between the States; and

WHEREAS, It is of great importance to this State, and especially to those counties of the State which border on said line and the State of Nevada, that the new line established shall be taken and forever established as the true boundary line between the said States; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested, to cause such legislation to be enacted as will authorize the proper authorities to set over and establish the granite posts now marking the old line to the temporary posts erected on the new line, and when said granite posts are thus erected, the new line, as thus established, shall thereafter be recognized as the true boundary between the States of California and Nevada, or if the removal of said granite posts is impracticable, that the present temporary posts be recognized as marking the true boundary between the said States.

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of these resolutions.

Assembly Joint Resolution No. 10 adopted.

ASSEMBLY JOINT RESOLUTION No. 13.

Relative to creating rank of Admiral, and conferring same on Rear Admiral George Dewey.

WHEREAS, From time immemorial valorous deeds of defenders of their country have been commemorated by grateful nations;

WHEREAS, The battle of Manila, decisive as it was glorious, crowning alike the American Navy and the hero under whose leadership it was fought and won, with immortal renown, entitles Rear Admiral George Dewey to the homage of the Republic and the gratitude of every patriot; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California respectfully petitions the Congress of the United States to enact, and the President of the United States to approve, a law to revive the rank of Admiral in the United States Navy, and confer the same on Rear Admiral George Dewey, in honor of the distinguished services he has rendered to the Republic.

Assembly Joint Resolution No. 13 adopted.

ASSEMBLY CONCURRENT RESOLUTION No. 8.

Realizing that the constantly increasing influx of Japanese laborers and tradesmen

into the United States of America is inimical to the laboring and commercial interests of the citizens of the United States of America, and that importation of Japanese females for lewd purposes is a menace to the morals of our communities; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress are respectfully requested to use their efforts to procure the enactment of such legislation by Congress as will prohibit and restrict the immigration of Japanese laborers and tradesmen and Japanese females into the United States of America; be it further

Resolved, That the Chief Clerk transmit by mail a copy of this resolution to each Senator and Congressman from California.

Mr. Cowan moved to amend the title as follows:

Amend title by striking out the word "concurrent" and inserting instead thereof the word "joint."

Amendment adopted.

Resolution ordered to print, to retain place on file.

RESOLUTIONS—(OUT OF ORDER).

By Mr. ———:

WHEREAS, Through a misapprehension on the part of the Assembly, four Porters were originally elected; and

WHEREAS, On Wednesday last, two more Porters were elected (Charles Prince and Jesse R. Dorsey); and

WHEREAS, This makes six Porters for the Assembly and the statutes governing the same only provide five Porters for the Assembly; therefore, be it

Resolved, That Jesse R. Dorsey be declared the person elected to said portership.

Referred to Committee on Attachés and Employés.

By Mr. Boynton:

WHEREAS, Your Committee on Agriculture have had, and now have, before it several bills, and said committee having had no regular clerk, and the chairman requested and appointed Clyde Alford to act as clerk, who did so act and perform the duties of clerk of the committee, therefore, be it

Resolved, That the Controller be directed to draw his warrant in favor of said Clyde Alford for such services, from January 10, 1899, to February 1, 1899 (both days inclusive), and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly; and

Resolved further, That the said Alford shall continue and act as such clerk of said committee.

Referred to Committee on Attachés and Employés.

SPECIAL ORDER.

Mr. Sanford moved that the reconsideration of Assembly Bill No. 83 be continued and made special order for Monday.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Passed on file.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be

the true boundary line between the counties of Mendocino and Trinity, State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Passed on file.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Mr. Boynton moved that Assembly Bill No. 174 be recalled from the Committee on Judiciary and re-referred to Committee on Agriculture.

So ordered.

Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, for the purpose of considering Assembly Bill No. 13.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 13 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Anderson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Assembly Bill No. 13 ordered to engrossment and third reading.

At four o'clock P. M., the Speaker called Mr. Caminetti to the chair.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1

Amend by striking out the words "mentioned in Section 556 of this Code," on lines 90 and 91, Section 2, page 4, printed bill.

Amendment adopted.

AMENDMENT No. 2

Amend by striking out the words "and it shall be unlawful for any savings or loan society, or savings bank, to purchase, invest, or loan its capital, or the money of its depositors, in mining shares or stock," on lines 102, 103, and 104, Section 2, page 5, printed bill.

Amendment lost.

Mr. Conrey moved to reconsider the vote whereby Committee Amendment No. 2 was lost.

Mr. Brown moved to lay the motion to reconsider on the table.

So ordered.

AMENDMENT No. 3.

Amend by striking out the words "no savings bank shall receive," on line 95, Section 2, page 5, printed bill, and inserting in lieu thereof the following: "the Bank Commissioners shall issue."

Amendment adopted.

By Mr. Wade:

AMENDMENT No. 4.

Amend by striking out all after the word "corporation," on line 1, page 3, to and including the word "forth," on line 23, Section 9, page 3, printed bill.

Amendment lost.

By Mr. Le Baron:

AMENDMENT No. 5.

Amend by striking out of Section 2, lines 24 and 25, the words "at twelve o'clock meridian."

Pending the consideration of the amendment, Mr. Johnson moved that the matter be continued until to-morrow, the bill to retain place on file.

So ordered.

SUSPENSION OF RULES—CONSIDERATION OF BILL.

Mr. E. D. Sullivan moved that the rules be suspended, and the Assembly do now consider Assembly Bill No. 291.

So ordered.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Read second time.

Mr. Sullivan moved to amend as follows:

AMENDMENT No. 1.

Strike out title to said bill, and insert in lieu thereof "An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be known and numbered as Section 364 thereof, relating to corporations."

Amendment adopted.

AMENDMENT No. 2.

Insert after the words "Sec. 1" "a new section is hereby added to the Civil Code of the State of California, to be known and numbered as Section 364, to read as follows."

Amendment adopted.

AMENDMENT No. 3.

Paragraph the sentence commencing with the word "any," on line 1 of printed copy of said bill, and number the same 364.

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Mr. E. D. Sullivan moved that Assembly Bill No. 291 be made special order for next Monday morning, immediately after reading of Journal.

So ordered.

ADJOURNMENT.

At four o'clock and twenty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, February 4, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 4, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, La Baree, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—63.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNAL.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Dibble.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Wardell, Hanley, and Bliss until Monday, on motion of Mr. Crowder.

Leave of absence was granted Mr. Radcliff until Monday, on motion of Mr. Crowder.

Leave of absence was granted Mr. Conrey until Monday, on motion of Mr. Miller of Los Angeles.

Leave of absence was granted Mr. O'Brien until Monday, on motion of Mr. Hoey.

Leave of absence was granted Mr. Muentert until Monday, on motion of Mr. Dunlap.

Leave of absence was granted Mr. Belshaw until Monday, on motion of Mr. McDonald of Alameda.

Leave of absence was granted Mr. Chynoweth for three days, on motion of Mr. Crowder.

PETITIONS.

To the Honorable Legislature of the State of California

GENTLEMEN: The under-signed, citizens and taxpayers of the State of California, respectfully represent that they favor the enactment as a law of that section of the bill relative to the government of the Home of the Adult Blind, introduced by Mr. Devoto, which provides that the Superintendent of such Home must have normal vision, be a

man of good moral character, of good education, and business experience; but that as to the other provisions of said bill they express no opinion.

T. W. ANGELLOTTI.
ALLEN A. CURTIS.
E. B. MARTINELLI.
JAMES H. WILKINS.
JAMES W. COCHRANE.
S. M. AUGUSTINE.
HIEBURN WILKINS.
GEORGE L. RICHARDSON.
MATTHEW CANAVAN.
H. A. AMES.
M. C. DOODY.

Ordered printed in minutes.

Mr. Melick presented the following, signed by 231 residents of Los Angeles County:

To the Senate and Assembly of the Legislature of California:

We, the undersigned, residents of the County of Los Angeles, California, respectfully ask your honorable body to enact a Sunday law that will prohibit all unnecessary secular labor and business and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers.

Also: One on the same subject by Mr. Burnett, signed by 34 residents of San Luis Obispo County.

Also: One on the same subject by Mr. Caminetti, signed by 226 residents of Amador County.

Also: One relative to the exemption from taxation of churches, chapels, etc., and real property upon which they are situated, presented by Mr. Kelsey, and signed by 35 residents of San José, California.

CONSIDERATION OF BILL.

Mr. Dibble called up for consideration Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies

Title read and approved.

Mr. Dibble moved that Assembly Bill No. 261 be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 13 and 88.

Assembly Bill No 13—An Act to provide for the dredging and improvement of Alviso Slough and to appropriate money therefor.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

RICKARD, Chairman.

Assembly Bills Nos. 13 and 88 ordered on second-reading file.

ON ELECTION LAWS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 451—An Act providing for the organization and reorganization of political parties and committees in certain cases of disorganization—have had the same under consideration, and respectfully report the same back, and recommend that committee substitute do pass

BELSHAW, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Election Laws: Assembly Bill No. 636 (Substitute for Assembly Bill No. 451)—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization and reorganization of committees to represent political parties.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 49—An Act to amend Sections 1083, 1091, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections—have had the same under consideration, and respectfully report the same back, and recommend that the same, as amended, do pass.

BELSHAW, Chairman.

Assembly Bill No. 19 ordered on second-reading file.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Joint Resolution No. 7—Relative to irrigation of San Joaquin Valley—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MILLICE, Chairman.

Assembly Joint Resolution No. 7 ordered on Assembly general file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 478—An Act regulating the cancellation of fire insurance policies, and providing penalties for refusing to cancel the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

RAUB, Chairman.

Assembly Bill No. 478 ordered on second-reading file.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 120—An Act to amend an Act approved March 29, 1897, entitled "An Act to amend an Act entitled 'An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, in the State,' approved March 26, 1895"—report the same back with a substitute therefor, and recommend that the substitute do pass.

DE LANCIE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 637 (Committee Substitute for Assembly Bill No. 120)—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act, approved March 26, 1895, entitled 'An Act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, in the State.'"

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 297—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Also: Assembly Bill No. 298—An Act to amend Sections 1790 and 1791 of the Political Code, relative to City Boards of Examination.

Have had the same under consideration, and respectfully report the same back, and recommend that the substitute presented herewith do pass.

DE LANCIE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 638 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 295—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add a new section to said Code, to be known as Section 1674, relating to public schools—have had the same under consideration, and respectfully report the same back, and recommend that the substitute presented herewith do pass.

DE LANCIE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 639 (Committee Substitute for Assembly Bill No. 295)—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1650, 1663, 1667, 1697, 1674, 1713, 1714, 1768, 1830, 1858, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to public schools.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute of the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street laws of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same, for the transfer of prisoners thereto, and government of the inmates thereof.

Also: Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and the vault connected therewith, and making an appropriation therefor.

Also: Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rogers for services as elevator attendants in the Capitol building.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum, for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 371—An Act appropriating money for the maintenance of the Preston School of Industry for the fifty-first and fifty-second fiscal years, including salaries—have had the same under consideration, and respectfully report the same back, and recommend that the author be requested to withdraw the same, as it is provided for in the General Appropriation Bill.

VALENTINE, Chairman.

Assembly Bills Nos. 39, 128, 411, 491, and 347 ordered on second-reading file.

Assembly Bill No. 371 withdrawn by author.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, repairs, and renewal of the furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to the Committee on Ways and Means.

CROWDER, Chairman.

Assembly Bill No. 509 referred to Committee on Ways and Means.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 3, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof, to provide the penalty therefor, and to appropriate money to enforce the same.

Also: Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds

and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read first time, and referred to Committee on Commerce and Navigation.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Wright: Assembly Bill No. 640—An Act to add three new sections, to be known as Sections 635, 636, and 637 of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the execution of bonds to secure the payment of taxes by the insurance companies not incorporated under the laws of said State, and doing business in said State, which payment would be in lieu of all other taxes or license imposed upon them or other agents by the State or by any county or city and county, or municipality therein situated, except such taxes as may be levied against its real or personal property.

Read first time, and referred to Committee on Corporations.

By Mr. Kenneally: Assembly Bill No. 641—An Act to amend Sections 2436, 2440, 2443 of Article V of the Political Code, relating to pilots and Pilot Commissioners, and 2457, 2460, 2462, 2465, and 2467 of Article VI of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Beecher: Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Pliesch, for money due and owing to said Theodore Pliesch from the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Robinson: Assembly Bill No. 643—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Read first time, and referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 256—An Act to amend an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897, by amending Sections 2, 3, and 4 thereof, so as to provide for the improvement and protection of the navigable channels and harbors of this State—do now report the same back, with a substitute, and recommend that the substitute do pass.

DUNLAP, Chairman.

INTRODUCTION OF BILL.

By Committee on Swamp and Overflowed Lands: Assembly Bill No. 644 (Substitute for Assembly Bill No. 256)—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public

Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Read first time, and placed on second-reading file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 224—An Act to amend Section 558 of the Penal Code, relating to malicious injuries to highways—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same, and that the substitute herewith presented do pass.

MELICK, Chairman

Assembly Bill No. 224 withdrawn by author.

INTRODUCTION OF BILL.

By Committee on Roads and Highways: Assembly Bill No. 645 (Substitute for Assembly Bill No. 224)—An Act to amend Section 558 of the Penal Code, relating to malicious injuries to highways.

Read first time, and placed on second-reading file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1899

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State, at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 408—An Act to provide three additional Judges of the Superior Court of the City and County of San Francisco.

Also: Assembly Bill No. 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California

Also: Assembly Bill No. 101—An Act for the punishment of State, county, and city and county officers for withholding, hindering, or delaying, or aiding in the withholding, hindering, or delaying the payment of money derived from taxes or fees collected for State purposes.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Judiciary.

MELICK, Chairman pro tem

Assembly Bill No. 435 ordered on second-reading file.

Assembly Bills Nos. 408, 119, and 101 referred to Committee on Judiciary.

Mr. Dibble moved that it is the sense of the Assembly that all the amendments to the County Government Act be incorporated in one bill, and the bill be reenacted as one measure.

So ordered.

RESOLUTION.

By Mr. Raw (by request):

Resolved, That the Controller be and he is hereby directed to draw his warrant, and the Treasurer pay the same, out of the Contingent Fund of the Assembly, in favor of W. J. Kirkpatrick, for the sum of \$150, for services rendered as assistant to the Sergeant-at-Arms of the Assembly from January 2, 1899, to February 31, 1899.

Referred to Committee on Attachés and Employés.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Meserve: Assembly Bill No. 646—An Act to provide special quarters in county, city and county, jails, city jails, or police stations, for juvenile prisoners.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. White: Assembly Bill No. 647—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Read first time, and referred to Committee on Election Laws.

Also: Assembly Bill No. 648—An Act adding two new sections to the Political Code of this State, to be numbered 1118 and 1119, concerning elections, and providing for registration for primary elections.

Read first time, and referred to Committee on Election Laws.

By Mr. Milice: Assembly Bill No. 649—An Act to amend Subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller.

Read first time, and referred to Committee on Judiciary.

By Mr. Pierce: Assembly Bill No. 650—An Act to locate and permanently establish the boundary line between the counties of Yolo and Solano.

Read first time, and referred to Committee on Counties and County Boundaries

By Mr. Johnson: Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor if successful.

Read first time, and referred to Committee on Ways and Means.

By Mr. Hoey: Assembly Joint Resolution No. 18—Relating to the immigration from Philippine Islands.

Read, and referred to Committee on Federal Relations.

MOTION.

Mr. Wright moved that the rules be suspended, and that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Assembly Bills Nos. 313 and 196 passed on file.

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Mr. Mead moved that Assembly Bill No. 230 be referred to Committee on Corporations.

So ordered.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Mr. Valentine moved that Assembly Bill No. 174 be referred to Committee on Ways and Means.

So ordered.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Assembly Bill No. 165—An Act to amend Section 1104 of the Civil Code of the State of California, relating to transfers of property.

Assembly Bills Nos. 206 and 165 passed on file.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Read second time, passed on file, but to retain place on file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the 500,000 acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Referred to Committee on Ways and Means, to retain place on file.

Assembly Bill No. 222—An Act to amend Section 3010 of the Political Code of the State of California, relating to salaries of officers and employes of the Board of Health.

Assembly Bill No. 223—An Act to amend Section 3009 of the Political Code of the State of California, relating to the appointment of certain officers and employes of the Board of Health.

Assembly Bills Nos. 222 and 223 passed on file.

Assembly Bill No. 156—An Act for the protection of horticulture, and to prevent the introduction into this State of insects, or diseases, or animals

injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 5, line 5, printed bill, by striking out the word "grown" after the word "been"; also, in line 6, insert the word "contagious" between the words "and" and "disease"; also, on same line, insert the word "contagious" between the words "as" and "peach"; also, on line 9, insert the words "owners or agents" between the words "owner" and "and"; also, in line 9, insert the words "or other" between the words "his" and "expense."

Amendment adopted.

AMENDMENT No. 2.

In Section 6, line 2, insert the words "injurious animals known as" between the words "any" and "English."

Amendment adopted.

Assembly Bill No. 156 ordered to engrossment and third reading.

Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Concurrent Resolution No. 13—Approving the charter of Santa Barbara.

Passed on file.

Assembly Bill No. 503—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Re-referred to Committee on Ways and Means, to retain place on file.

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out all after line 2 of Section 1 of page 1 of printed bill, and inserting in lieu thereof the following words:

"Section 354. The Normal Schools at San José, at Los Angeles, and at Chico, and any Normal Schools established by the Legislature of the State after the first day of January, 1897, shall be known as State Normal Schools, and shall each have a Board of Trustees, constituted as follows: The Governor and Superintendent of Public Instruction shall be ex officio members of each board. There shall also be three other members of the local board for each Normal School, whose terms of office shall be four years, and who shall be appointed by the Governor, by and with the advice and consent of the Senate of the State of California. Nothing in this section contained shall be so construed as to affect the office of any trustee of a Normal School by appointment heretofore made by the Governor, until the expiration of four years from and after the first day of July next preceding the time when such trustee was appointed by the Governor. In filling any vacancy in the office of trustee of a Normal School, the Governor shall make the first appointment for the full term of four years from the first day of July next preceding such appointment; *provided*, that if the appointment be made to fill the unexpired term of a trustee, where a vacancy has occurred during the term of a trustee, the appointment shall be only for the unexpired portion of such term."

Amendment lost.

AMENDMENT No. 2.

Amend Section 2 by striking out all of lines 19 to 25, both inclusive of said Section 2, on page 2 of the printed bill, and by substituting in lieu thereof the following words: "To elect necessary teachers upon their nomination by the principal, fix their salaries,

and prescribe their duties; *provided*, that a teacher shall be subject to removal only upon the recommendation of the principal, confirmed by a two-thirds vote of the members of the local board present and voting."

Pending the consideration of Amendment No. 2, Mr. Caminetti moved that the further consideration be postponed, and made special order for next Tuesday.

The ayes and noes were demanded by Messrs. Caminetti, Arnerich, and Valentine.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Brown, Burnett, Caminetti, Cobb, Fairweather, Feliz, Glenn, Griffin, Hoey, Lardner, Mead, Melick, Milice, Miller of Los Angeles, Stewart, Valentine, White, and Works—18.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, De Lancie, Dibble, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Mack, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Raub, Raw, Robinson, Sanford, Eugene Sullivan, Wright, and Mr. Speaker—27.

Mr. Johnson moved the previous question.

The ayes and noes were demanded by Messrs. Caminetti, Burnett, and Mead.

The roll was called, and the previous question denied by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Boynton, Clough, De Lancie, Dibble, Johnson, Kelsey, Kenneally, La Barea, Marvin, McDonald of Alameda, McKeen, Meserve, Sanford, and Eugene Sullivan—18.

NOES—Messrs. Blood, Brown, Burnett, Caminetti, Cobb, Crowder, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Jilson, Le Baron, Lardner, Mack, McDonald of Tuolumne, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Robinson, Stewart, Valentine, White, and Works—27.

Mr. Valentine moved that further consideration of Assembly Bill No. 245 be continued and made special order for Monday at three o'clock P. M.

So ordered.

Assembly Bill No. 396—An Act providing for special funds for the payment of teachers' salaries in the school districts of this State, and defining the duties of School Trustees, Boards of Education, Auditors, and Treasurers in relation thereto.

Assembly Bill No. 396 withdrawn by author.

Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 492 (Substitute for Assembly Bill No. 73)—An Act to reorganize the State Board of Health, and to grant it additional powers.

Passed on file.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Section 10 thereof.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "at the time of the organization of such company" on lines 7 and 8, page 1, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "risk" which occurs twice in line 10, page 1, printed bill, and inserting in lieu thereof the word "building" in each place.

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting after the word "assured" in line 12, page 1, printed bill, the following: "except that this provision shall not apply on private barns and outhouses on the same premises with the dwelling insured, and"

Amendment adopted.

Assembly Bill No. 399 ordered to engrossment and third reading.

Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the marking and branding of domestic animals, and the alteration and defacement of marks and brands on domestic animals.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 393—An Act to secure to native born and naturalized citizens of the United States the exclusive right to labor on public works in this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 358—An Act to amend Section 407 of the Code of Civil Procedure of the State of California, relating to summons.

During the second reading of bill, the following amendment was offered:

Amend by striking out all of Section 2.

Amendment adopted.

Assembly Bill No. 358 ordered to print, engrossment, and third reading.

Assembly Bill No. 357—An Act to amend Section 844 of the Code of Civil Procedure of the State of California, relating to summons in the Justices' Courts.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the words: "If plaintiff has appeared by attorney the name of the attorney must be indorsed upon the summons," where they occur in lines 18, 19, and 20 of subdivision 3 of Section 1 of page 2 of the printed bill.

Amendment adopted.

AMENDMENT No. 2.

Strike out all of Section 2.

Amendment adopted.

Assembly Bill No. 357 ordered to print, engrossment, and third reading.

Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 348—An Act to amend Sections 1 and 2 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Read second time.

Mr. Dibble moved to amend by adding to the bill an additional section, to be numbered Section 3, as follows:

Section 3 of said Act is amended and reenacted, so as to read as follows:

Sec 3. Any person violating any provision of this Act shall be deemed guilty of a misdemeanor; and any candidate, or officer, or officer-elect who shall violate any provision of this Act shall, in addition, be disqualified from holding the office to which he may be, or may have been, elected.

Amendment adopted.

Also: Amend title by striking out of line 1 thereof the words and figures "1 and 2" and inserting the following: "1, 2, and 3."

Amendment adopted.

Assembly Bill No. 348 ordered to print, engrossment, and third reading.

Mr. Dibble moved that Assembly Bill No. 348 be placed on special file.
So ordered.

Assembly Bill No. 28—An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 352—An Act relating to the disposition of money belonging to deceased inmates of public institutions supported in whole or in part by State aid, and under the control of boards appointed by the Governor.

Read second time, ordered to engrossment and third reading.

Mr. Dibble moved that immediately after the adjournment of Joint Assembly, the Assembly adjourn to nine o'clock and thirty minutes A. M. of Monday, February 6, 1899.

So ordered.

Assembly Bill No. 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire-escapes on school buildings.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 444—An Act to amend Section 1444 of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the words "See Section 10 of old Act and Section 12 of proposed Act," and the parentheses inclosing the said words, where they occur in lines 24 and 25 of Section 7, page 3 of printed bill.

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "nothing in this Act shall prevent any person from extracting teeth for or without compensation," where they occur in lines 4 and 5 of Section 12, page 5 of printed bill, and insert in lieu thereof the words "nothing in this Act shall be so construed as to prohibit any physician, licensed as such under the laws of the State, from extracting teeth."

Amendment adopted.

AMENDMENT No. 3.

Strike out the word "immediately," in line 4 of Section 13, page 5 of printed bill, and insert in lieu thereof the words and figures as follows: "on and after the first day of September, 1899."

Amendment adopted.

Assembly Bill No. 138 ordered to print, engrossment, and third reading.

Mr. Johnson moved that the Assembly do now take up for consideration Assembly Bill No. 416.

So ordered.

Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248 and 249, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary Committees thereof.

Read second time.

The following amendment was submitted by the committee:

Amend by striking out all after the words "An Act," where they first occur in the bill, and insert the following: "to add three new sections to an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, to be numbered respectively Sections 248, 249, and 250, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary and the standing committees thereof.

"The People of the State of California, represented in Senate and Assembly, do enact as follows."

"SECTION 1. Three new sections are hereby added to the said Act entitled 'An Act to establish a Political Code,' to be numbered respectively, Sections 248, 249, and 250, to read as follows:

"Section 248. All standing committees of the Senate and Assembly shall be appointed by the presiding officer of the respective houses; *provided*, that each house may, by resolution or the rules thereof, direct otherwise.

"Section 249. The rules of each house may prescribe the duties of each committee thereof. In addition to the duties that may thus be prescribed, it shall be the duty of the Judiciary Committee of each house, whenever a bill drawn in the form of a general law is recommended for passage, either as introduced or amended by such committee, if it relates to and should form part of any subject contained in either one or more of the Codes of this State, to accompany such recommendations with a substitute or substitutes therefor, containing a suitable title and the provisions of such bill in codified form, and numbered so as to indicate in what Code, and what part thereof, it is proposed to insert the same in case of enactment.

"Section 250. When any standing committee of the Senate or Assembly, other than the Judiciary Committee thereof, favorably report any bill referred thereto, if such bill is in the form of a general law, the same shall be placed on file, retain its place thereon, and be referred to the Judiciary Committee; whereupon such committee must, if the bill relates to and should form part of any subject contained in either one or more of the Codes of this State, codify the same, and within two days after such reference, unless additional time is granted, report a substitute or substitutes therefor in the manner provided in the preceding section.

"SEC. 3. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 416 ordered to print, engrossment, and third reading.

Mr. Valentine moved that Assembly Bill No. 416 be made a special order for Monday, February 6, 1899, immediately after reading of the Journal.

So ordered.

Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties for the collection of taxes.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend in line 2, Section 1, printed bill, by inserting after the word 'county,' the words "or city and county."

Amendment adopted.

AMENDMENT No. 2.

Amend in line 3, Section 1, printed bill, by inserting after the word "county," the words "or city and county."

Amendment adopted.

AMENDMENT No. 3

Amend title by inserting after the word "counties," where it occurs therein, the words "and cities and counties."

Amendment adopted.

Assembly Bill No. 247 ordered to print, engrossment, and third reading.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 4, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Bettman, Boyce, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hoey, Jones, Laird, La Rue, Leavitt, Morehouse, Nutt, Pace, Prisk, Shortridge, Simpson, Sims, Smith, Taylor, Trout, and Wolfe—30.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen:

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brown, Burnett, Caminetti, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Mihce, Miller of Los Angeles, Pierce, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—57.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, February 3, 1899. The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, February 3, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. J. Barnes—Senators Dickinson and Morehouse—2.
For R. N. Bulla—Senators Gillette, Simpson, and Taylor—3.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Shortridge, and Wolfe—6.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senator Flint—1.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Prisk, and Sims—8.

Whole number of votes cast by Senators.....	28
W. H. J. Barnes received	2 votes.
R. N. Bulla received	3 votes.
D. M. Burns received	6 votes.
U. S. Grant, Jr., received	6 votes.
Thomas R. Bard received	1 vote.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	8 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. J. Barnes—Messrs. Anderson, Atherton, Clough, Kelsey, and Knights—5.
For M. M. Estee—Mr. Wade—1
For R. N. Bulla—Messrs. Boynton, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—6.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Henry, Jilson, Johnson, Kenneally, McKee, Pierce, Eugene Sullivan, and Wright—12.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Blood, Cargill, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Milice, Raub, and Works—14.
For Irving M. Scott—Mr. Dunlap—1.
For Stephen M. White—Messrs. Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hoey, Mack, Mead, Meserve, Sanford, Stewart, and White—14.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	55
W. H. J. Barnes received	5 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	6 votes.
D. M. Burns received	12 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	14 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	14 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	83
Necessary to a choice.....	42
W. H. L. Barnes received.....	7 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	18 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Thomas R. Bard received.....	1 vote.
Irving M. Scott received.....	2 votes.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	22 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-three minutes p. m., Senator Bettman moved that the Joint Assembly do now adjourn until Monday, February 6, 1899.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock m. of Monday, February 6, 1899.

IN ASSEMBLY.

REASSEMBLED.

At twelve o'clock and twenty-four minutes p. m., the Assembly reconvened.

Speaker Anderson in the chair.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes p. m., on motion of Mr. Valentine, the Assembly adjourned until nine o'clock and thirty minutes a. m. of Monday, February 6, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER.

Monday, February 6, 1899. }

The Assembly met at nine o'clock and thirty minutes a. m., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beccher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Julson, Johnson, Kelley, Kelsey, Knights, Know-

land, La Baree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

Mr. Bliss was granted leave of absence for one day, on motion of Mr. Belshaw.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Saturday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journals of Thursday, February 2, and Friday, February 3, 1899, were approved.

PETITIONS.

The following, signed by 19 residents of Napa County, was presented by Mr. Wade:

To the Senate and Assembly of the Legislature of California

We, the undersigned, residents of the County of Napa, California, respectfully ask your honorable bodies to enact a Sunday law that will prohibit all unnecessary secular labor and business, and all public sports and amusements inconsistent with the sanctity of the day, and that at the same time will secure the necessary weekly rest to all classes of weary toilers

Mr. Merritt presented a petition signed by 16 residents of Santa Barbara County on the same subject

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the week ending Saturday, February 4, as follows:

Jan. 30, Assembly Bill No. 455—Claim of John C. Pelton.....	\$6,000 00
31, Assembly Bill No. 491—Claim of Cunningham & Rogers.....	870 00
Feb. 2, Assembly Bill No. 3—Appointing Thomas Nosler, John Mullan, and James W. Shankland, agents of this State to collect from the United States all moneys by her advanced and paid for the benefit of the United States.	
2, Assembly Bill No. 9—Appointing John Mullan agent of this State to collect from the United States all moneys heretofore paid, and which may also become due this State, etc.	
2, Assembly Bill No. 39—For macadamizing Waring Street, in front of the lands of the Deaf, Dumb, and Blind Asylum, Berkeley	
2, Assembly Bill No. 76—Claim of Dutch Flat Public School District.....	3,000 00
2, Assembly Bill No. 77—Claim of Thomas Grace.....	1,000 00
2, Assembly Bill No. 78—Claim of the Methodist Episcopal Church of Dutch Flat.....	100 00
2, Assembly Bill No. 79—Claim of Thomas Flairdon.....	1,500 00
2, Assembly Bill No. 80—Claim of Mrs. J. Uren.....	850 00
2, Assembly Bill No. 81—Claim of W. P. Sowden.....	200 00
2, Assembly Bill No. 82—Claim of Patrick Carroll.....	150 00
2, Assembly Bill No. 274—Claim of I. H. Polk.....	7,709 50
2, Assembly Bill No. 279—Claim of Major José Ramon Pico.....	8,111 15
2, Assembly Bill No. 347—For grading and curbing Waring Street, in front of the lands of the Deaf, Dumb, and Blind Asylum, Berkeley	617 15
2, Assembly Bill No. 369—For purchase of tools and books for Preston School of Industry.....	1,000 00

Feb. 3, Senate Bill No. 37—Claim of F. P. Otis.....	\$127 38
3, Assembly Bill No. 514—Support of Southern California State Hospital for fifty-first and fifty-second fiscal years.....	259,595 30
3, Assembly Bill No. 542—For maintenance of Lake Tahoe road.....	60,000 00
3, Assembly Bill No. 340—To pay the interest on outstanding bonds of the State of California held in trust for the University Fund, and the State School Fund.....	16,747 50
3, Assembly Bill No. 155—To prohibit the sophistication and adulteration of wine.....	5,000 00
3, Assembly Bill No. 528—For a Commissioner of Irrigation and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining and industrial purposes.....	10,000 00
3, Assembly Bill No. 581—For payment of costs of suits in foreclosing delinquent purchasers of school lands.....	4,152 98
3, Assembly Bill No. 15—For ventilating State Capitol building.....	83,700 00
3, Assembly Bill No. 94—Claim of The Bulletin.....	2,478 60
3, Assembly Bill No. 314—To pay funeral expenses of Lieutenant H. D. Hodgdon.....	182 00
3, Assembly Bill No. 238—Claim of Julius A. Holt.....	7,500 00
3, Assembly Bill No. 476—Claim of Lawrence Dunnigan.....	225 00
3, Assembly Bill No. 561—For the erection of a monument to the memory of Abraham Lincoln.....	50,000 00
3, Assembly Bill No. 555—Claim of R. P. Squier.....	75 00
3, Assembly Bill No. 417—For wagon road from Tallac to McKinney's.....	20,000 00
3, Assembly Bill No. 477—Claim of Charles F. Wells.....	10,000 00
4, Assembly Bill No. 59—For wagon road from Mono Lake Basin to connect with Tioga Road.....	25,000 00
4, Assembly Bill No. 174—For relief of district agricultural associations.....	
4, Assembly Bill No. 208—To regulate and improve the civil service of the State of California.....	20,000 00
4, Assembly Bill No. 573—Claim of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith.....	10,000 00
4, Assembly Bill No. 574—Claim of Talbot H. Wallis.....	6,343 13
4, Senate Bill No. 21—To prohibit the sophistication and adulteration of wine.....	5,000 00
Total.....	\$637,235 11

Bills Reported Favorably.

Jan. 31, Assembly Bill No. 159—Claim of State Board of Horticulture.....	\$1,957 01
Feb. 1, Senate Bill No. 109—For purchase of portrait of Ex-Governor James H. Budd.....	500 00
1, Assembly Bill No. 34—Claim of W. G. Guirey.....	260 00
2, Assembly Bill No. 211—Claim of A. W. Rapelye.....	300 00
1, Assembly Bill No. 240—Claim of Thomas Hatch.....	1,050 00
1, Assembly Bill No. 309—To furnish offices in the State Capitol with modern metallic bookcases, for use of State Library.....	15,000 00
3, Assembly Bill No. 39—For macadamizing Waring Street in front of the lands of the Deaf, Dumb and Blind Asylum, Berkeley.....	2,126 68
2, Assembly Bill No. 274—Claim of I. H. Polk.....	7,709 50
3, Assembly Bill No. 347—For grading and curbing Waring Street in front of the lands of the Deaf, Dumb and Blind Asylum, Berkeley.....	617 15
1, Assembly Bill No. 581—For payment of costs of suits in foreclosing delinquent purchasers of school lands.....	4,152 98
Total.....	\$33,673 32

Bills Reported Unfavorably.

Feb. 1, Assembly Bill No. 342—To provide for an investigation by the University of California into the rainfall and water supply of the State.....	\$25,000 00
2, Assembly Bill No. 127—For the purchase of additional lands for the Folsom State Prison.....	4,500 00
2, Assembly Bill No. 128—For the erection of a building for the accommodation, detention and care of insane convicts and criminals.....	75,000 00
3, Assembly Bill No. 411—Authorizing the Secretary of State to furnish his office and vault connected therewith.....	7,500 00
3, Assembly Bill No. 491—Claim of Cunningham & Rogers.....	870 00
Total.....	\$112,870 00

Bills Reported Without Recommendation.

Feb. 2, Assembly Bill No. 121—To provide for the inspection of dairies, etc.....	\$22,500 00
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Bills Referred to Other Committees.

Feb. 2, Assembly Bill No. 443—To establish a State Normal School in the City and County of San Francisco, referred to Committee on Education.....	\$150,000 00
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Bills Withdrawn.

Feb. 3, Assembly Bill No. 371—For maintenance of Preston School of Industry for fifty-first and fifty-second fiscal year..... \$125,000 00

Recapitulation.

Total amount of appropriations referred to this committee to date	\$2,156,313 42
Total appropriations reported favorably	400,673 32
Total appropriations reported unfavorably	189,870 00
Total appropriations referred to other committees	348,845 00
Total appropriations reported without recommendation	22,500 00
Total appropriations reported with recommendation that they be withdrawn	125,000 00
Total appropriations remaining in the hands of the committee	1,069,425 10

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No 9—Relative to the election of United States Senators—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Joint Resolution No 14—Relative to an inquiry into the alleged servitude in Siberia of Frank Bassford and companions

Also: Senate Joint Resolution No. 7—Relative to false branding of food products.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted

DALE, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 308, 157, 528, 492, 90, 393, 354, 28, 465, 352, 420, and 444

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

Assembly Bill No 528—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers, in relation thereto.

Assembly Bill No. 492—An Act to reorganize the State Board of Health, and to grant it additional powers.

Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the marking and branding of domestic animals and the alteration and defacement of marks and brands on domestic animals.

Assembly Bill No. 393—An Act to secure to native sons and naturalized citizens of the United States the exclusive right to labor on public works in this State.

Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Assembly Bill No 28—An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate.

Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Assembly Bill No. 352—An Act relating to the disposition of money belonging to deceased inmates of public institutions, supported in whole or in part by State aid, and under the control of boards appointed by the Governor

Assembly Bill No. 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire-escapes on school buildings.

Assembly Bill No. 444—An Act to amend Section 1444 of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

RICKARD, Chairman.

Assembly Bills Nos. 308, 157, 528, 492, 90, 393, 354, 28, 465, 352, 420, and 444 ordered on second-reading file.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Mead: Assembly Bill No. 652—An Act to create a Board of

Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts.

Read first time, and referred to Committee on Corporations.

By Mr. White: Assembly Bill No. 653—An Act to prohibit the burial of the dead within the corporate limits of any incorporated city and county of over 150,000 inhabitants, from and after the first day of January, A. D. 1902.

Read first time, and referred to Committee on Judiciary.

By Mr. Barry: Assembly Bill No. 654—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be designated and numbered Section 1716.

Read first time, and referred to Committee on Judiciary.

By Mr. Cobb: Assembly Bill No. 655—An Act to amend Section 281 of the Code of Civil Procedure of the State of California, relating to the regulation of the rights of persons to practice law.

Read first time, and referred to Committee on Judiciary.

By Mr. Knights: Assembly Bill No. 656—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, etc., for the forty-eighth fiscal year, to pay the claim of the Sacramento Electric, Gas, and Railway Company for electric lighting in the State Capitol building.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 657—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, etc., for the forty-ninth fiscal year, to pay the claim of the Sacramento Electric, Gas, and Railway Company for electric lighting in the State Capitol building.

Read first time, and referred to Committee on Ways and Means.

By Mr. E. D. Sullivan: Assembly Bill No. 658—An Act to prevent the use of paranzella or dragnet in the waters of this State.

Read first time, and referred to Committee on Fish and Game.

By Mr. Sanford: Assembly Bill No. 659—An Act to prevent any Board of Education or of School Trustees from making contracts with any of its own members, or their relatives, and providing penalties therefor.

Read first time, and referred to Committee on Education.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations—report the same back with a substitute, and recommend that the substitute do pass.

RAUB, Chairman.

INTRODUCTION OF BILLS—(RESUMED).

By Committee on Corporations: Assembly Bill No. 660 (Substitute for Assembly Bill No. 230)—An Act to amend Sections 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations, and other similar corporations.

Read first time, and placed on second-reading file.

By Mr. Brown: Assembly Bill No. 661—An Act making an appro-

priation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Read first time, and referred to Committee on Ways and Means.

MOTION.

Mr. Johnson moved that the Assembly do now consider Assembly Constitutional Amendment No. 6.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 6.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section No 1½, relating to the exemption from taxation of all buildings used solely and exclusively for religious worship, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONTESTED ELECTIONS.

In re Graham vs. Hoey.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of P. J. Graham vs. L. Hoey for a seat in the Assembly from the Twenty-eighth Assembly District, beg leave to report that we have considered said contest, have given the contestants a hearing—said contestants being represented by their respective attorneys—and that we find that the contestee, L. Hoey, was elected by a plurality of 25 votes, as shown by the election returns; that no sufficient reason was shown for a recount of the ballots, and that said L. Hoey is entitled to retain his seat in this Assembly as a member thereof from said Twenty-eighth Assembly District, and we recommend the adoption of the following:

Resolved, That Lawrence Hoey is and he is hereby declared to be entitled to retain his seat in this Assembly as a member thereof from and for the Twenty-eighth Assembly District for the term of two years from the first day of January, 1899.

By the committee.

WADE, Chairman pro tem.
PIERCE.
DALE.
COWAN.
CROWLY.
HENRY

Resolution adopted.

RESOLUTION.

By Mr. Dibble:

Resolved, That the sum of \$46 be and the same is hereby appropriated out of the Contingent Fund of the Assembly for the payment of printing done by D. Johnston & Co. previous to the convening of the thirty-third session of the Legislature of the State of California.

The Controller of the State is hereby authorized to draw his warrant in favor of said D. Johnston & Co. for the sum of \$46, and the Treasurer directed to pay the same out of the Contingent Fund.

Referred to Committee on Ways and Means.

RECESS.

At ten o'clock and twenty minutes A. M., on motion of Mr. Johnson, the Assembly took a recess until eleven o'clock and thirty minutes A. M.

REASSEMBLED.

The Assembly reconvened at eleven o'clock and thirty minutes A. M. Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 6, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Flint, Gillette, Hoey, Jones, Laird, Langford, La Rue, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—34.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, February 4, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, February 4, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Gillette and Simpson—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Hall, Langford, La Rue, Pace, Prisk, and Sims—11.

Whole number of votes cast by Senators.....	34
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
Stephen M. White received.....	11 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	75
W. H. L. Barnes received.....	7 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	17 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	19 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	18 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	109
Necessary to a choice.....	55
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote

R. N. Bulla received	11 votes.
D. M. Burns received	24 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr. received	26 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	29 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

RESOLUTION.

By Senator Shortridge:

Resolved, That the sessions of this Joint Assembly shall be held on each legislative day, beginning at the hour of twelve o'clock M., and ending at three o'clock P. M.

Senator Davis moved to lay the resolution on the table.

So ordered.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and thirty minutes P. M., Assemblyman Belshaw moved that the Joint Assembly do now adjourn until Tuesday, February 7, 1899.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, February 7, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty-five minutes P. M., on motion of Mr. Belshaw, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly met at two o'clock P. M.

Speaker Anderson in the chair.

Mr. Valentine spoke to a question of personal privilege, relative to an article in the San Francisco Chronicle.

RESOLUTION.

By Mr. Melick:

Resolved, That the use of intoxicating liquors as a beverage in the State Capitol building is hereby severely condemned; and

Resolved, That the use of intoxicating liquors by any employé of the Assembly during working hours shall be sufficient cause for summary dismissal from further service.

Resolutions adopted.

MOTION.

Mr. Dibble moved that all bills relating to election laws be postponed until some time next week.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

Passed on file.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as “short weight,” and to prevent deception in the use of designs or brands.

Passed on file.

SENATE JOINT RESOLUTION No. 8.

Relative to the irrigation of arid lands.

WHEREAS, There are many thousand acres of land within the confines of the State of California that are at present lying idle, uninhabited, and of no assessable value; and

WHEREAS, A supply of water for irrigating purposes would render these lands susceptible of the highest cultivation, and a source of revenue to the Government; and

WHEREAS, The expense of securing such a supply of water by the building of storage reservoirs is far beyond the means of the State, and as the result of such work is of great value to the Federal Government in reclaiming and making salable large tracts of said land and thereby making them a source of revenue; and

WHEREAS, The money necessary for such work should properly be appropriated by Congress, now, therefore, be it

Resolved by the Senate of the State of California and the Assembly, jointly, That our Senators in Congress be instructed, and our Representatives be earnestly requested, to use their best endeavors to secure an appropriation from the Federal Government to provide for the necessary surveys and estimates for the diverting of rivers and streams and the construction of reservoirs for the storage of water, in order that some of our lands, at present arid and worthless, may be irrigated and thereby rendered suitable for cultivation and a source of revenue to the United States, as well as to the State of California;

Resolved, That the Secretary of the Senate be directed to transmit to each of our Representatives and Senators in Congress a copy of these resolutions.

Read and adopted.

Senate Joint Resolution No. 14—Relative to the return of the First Regiment of California Infantry of United States Volunteers to their homes and families without delay.

Mr. Dibble moved that Senate Joint Resolution No. 14 be laid on the table.

So ordered.

Senate Joint Resolution No. 15—Relative to an amendment to the Constitution forbidding polygamy within the United States, and making a polygamist ineligible to public office.

Passed on file.

Senate Bill No. 91—An Act to prevent deception in the sale of process or renovated butter.

Read second time, and ordered on file for third reading.

THIRD-READING FILE.

Assembly Bill No. 75—An Act entitled “An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions.”

Passed on file.

Assembly Bill No. 4—An Act to create an Exempt Fireman’s Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Read third time.

Mr. Johnson moved to refer Assembly Bill No. 4 to a select committee of one, with instructions to amend as follows:

Strike out all after the title and insert in lieu thereof the following:

“SECTION 1 The Mayor, the Chairman of the Board of Supervisors, or other governing authority of any city and county, city, or county, or town of this State in which an incorporated exempt fire company or association exists, is authorized, empowered, and

required, within thirty days after this Act takes effect, or as soon thereafter as practicable, and as often as shall be necessary, to appoint five citizens, who are exempt firemen, who shall constitute the Board of Trustees of the Exempt Fireman's Relief Fund, to provide for the disbursement of said fund, and to ascertain and determine the beneficiaries thereof, as hereinafter directed. Each Trustee shall hold office for the term of four years from his appointment and until the appointment and qualification of his successor. All vacancies, from whatever cause, shall be filled by the officer making the appointment. Each Trustee shall qualify by taking the constitutional oath of office required of other officers.

"SEC. 2. They shall organize as such board by choosing one of their number as President, and one of their number as Secretary. The office of Trustee, and of President and Secretary of said board, is honorary, and they shall receive no salary and compensation therefor. A majority of the members of said board shall constitute a quorum, and shall have power to transact business. The Treasurer of the county, city and county, city, or town shall be the ex officio Treasurer of said fund, without extra salary or compensation therefor. Such board shall have charge and administer said fund, and order payments therefrom, in pursuance of the provisions of this Act. They shall report to the Board of Supervisors, or other governing authority of the county, city and county, city, or town, when and as often as required, the condition of said fund, and the receipts and disbursements on account of same, and such other information as may be demanded. The board shall keep a record and full minutes of their acts and proceedings.

"SEC. 3. The Board of Trustees of the Exempt Fireman's Relief Fund shall enroll every exempt fireman who has received or who may hereafter receive a certificate under the laws of this State that he is an exempt fireman, and who is a resident of the county, city and county, city, or town, and who desires to avail himself of the benefits of this Act, and to render the services herein mentioned. Such enrolled exempt fireman may, in cases of great public emergency, be assigned to and shall perform such duty as fireman, under the direction and control of the chief, or any of his assistants of the fire department, as may be from time to time prescribed by ordinance of such Board of Supervisors or such other governing authority; and said enrolled exempt firemen shall be formed into one or more companies, and in such manner as such Board of Supervisors or such other governing authority may from time to time ordain; and such persons shall render all such services without salary or compensation, but may receive relief as provided herein.

"SEC. 4. The Board of Supervisors or other governing authority of any city and county or any city containing a population of twenty thousand (20,000) or over, in which such exempt fire company or association exists, shall, for the purpose of said fund, annually set apart from general fund in treasury of such city and county, or city, or from any other fund therein which is not devoted exclusively to some other purpose, and direct the payment annually into said fund of a sum not less than three thousand dollars (\$3,000), nor exceeding twelve thousand dollars (\$12,000), and in any other city or town in which such exempt fire company or association exists, such sum shall be set aside as may be necessary to carry out the provisions and objects of this Act; and in case a sum less than twelve thousand dollars should in any instance be directed to be paid into said fund, said board or other governing body may from time to time so set apart and direct the payment into said fund of other sums of money, not exceeding in aggregate, however, twelve thousand dollars.

"SEC. 5. Said Exempt Fireman's Relief Fund shall be applied to the relief of such enrolled exempt firemen who, after their enrollment as herein provided, shall become disabled from injury, sickness, or the infirmities of age, to earn a livelihood, and said board shall grant relief from time to time to such enrolled members during the disability, as it deems just. The decision or judgment of said board as to the fact of the ability or disability, or its duration, or the amount of relief at any time to be granted, shall be binding and final as against the claimant of relief. Such fund shall be used for such purposes, and to pay the necessary expenses of stationery and office rent for said board, and for no other purpose. The relief granted shall not exceed twenty-five dollars (\$25) per month to each enrolled member so disabled.

"SEC. 6. Such Board of Trustees is authorized to allow and issue orders on warrants, signed by the President and Secretary, for payment of moneys out of said Exempt Fireman's Relief Fund for any of the purposes herein stated; and the auditing officer of the county, city and county, city, or town, is authorized and required to audit, and the Treasurer thereof to pay out of said fund, any and all orders or warrants so allowed and issued by said board; *provided*, that the aggregate of said orders shall not exceed the sum of twelve thousand dollars per annum.

"SEC. 7. All Acts and parts of Acts in conflict with any of the provisions hereof are hereby repealed.

"SEC. 8. This Act shall take effect and be in force from and after its passage."

So ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 4—An Act to create an Exempt Fireman's Relief Fund in the several counties,

cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen—with instructions to amend, does now report that the instructions of the Assembly have been carried out

JOHNSON, Committee.

Report adopted.

Assembly Bill No. 4 ordered to print and reëngrossment.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Boone, Roynton, Brown, Burnett, Caminetti, Cargill, Clough, Conrey, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

COMMUNICATION AND CERTIFICATE.

IN RE MILTON J. GREEN CONTEMPT PROCEEDINGS.

SACRAMENTO, CAL., February 6, 1899.

This is to certify that Milton J. Green is not physically strong enough to appear before the Assembly this afternoon without danger of retarding his progress to recovery.

Respectfully,

F. W. HATCH, M.D.

Mr. Works moved that the matter be continued for thirty minutes.

So ordered.

Mr. Rickard moved that the rules be suspended, and the Assembly do now consider Assembly Bill No. 19.

So ordered.

SUSPENSION OF RULES.

Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 2, printed bill, lines 18 and 19, by striking out "in cities and counties containing more than 150,000 inhabitants."

Amendment adopted.

AMENDMENT No. 2.

Amend printed bill, Section 6, line 5, by striking out the figures "15" and inserting in lieu thereof the figures "25."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 10, printed bill, by striking out all of Subdivision 2, and inserting in lieu thereof the following: "If the certificate of nomination of two or more different political parties, or independent bodies, shall designate the same, or substantially the same party name, the officer with whom the certificates of nominations are filed shall decide which of said political parties, or independent bodies, is entitled to the use of such party name, being governed, as far as may be, in his decision, by priority of use of the party name. If the other nominating body shall present no other party name after such decision, such officer himself shall select for such other nominating body another party name, so that no two different parties shall be designated by the same party

name. If there be a division within a party, and two or more factions claim the same, or substantially the same, name, the officer aforesaid shall decide between such conflicting claims, giving preference of name to the convention, or committee thereof, recognized by the regularly constituted party authorities. Any questions arising with reference to the political party or other name designated in any certificate of nomination filed pursuant to the provisions of this section, or of Section 1188, or with reference to the construction, validity, or legality of any such certificate, shall be determined by the officer with whom such certificate of nomination is filed. Such decisions shall be in writing, and a copy thereof shall be sent forthwith by mail by such officer to the committee, if any, name upon the face of the certificate, or to the chairman and secretary of the convention filing the certificate of nomination, and also to each candidate nominated by any certificate of nomination affected by such decision "

Amendment adopted.

AMENDMENT No. 4.

Amend Section 13 by striking out from printed copy, from line 12, beginning with the words "every such" down to and including line 21, and inserting in lieu thereof the following: "the arrangement of the ballot shall, in general, conform as nearly as practicable to the plan hereinafter given. The list of candidates of the several parties shall be printed in parallel columns, each column to be headed by the party name."

Amendment adopted.

AMENDMENT No. 5

Amend Section 13 by striking out in line 60, beginning with the words "the heading," down to and including the words "within this circle," in line 69, and inserting in lieu thereof the following: "the heading of each party ticket shall be separated from the rest of the ticket by a printed line."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 13, line 78, commencing with the word "and," by striking out down to and including the words "nominations," on line 81.

Amendment adopted.

AMENDMENT No. 7.

Amend Section 13, line 83, by striking out "the" and inserting in lieu thereof the word "such"; also striking out "and," same line.

Amendment adopted.

AMENDMENT No. 8.

Amend line 84 by striking out the words "above the first emblem in each of such" in the same line; before the word "column" insert "or."

Amendment adopted.

AMENDMENT No. 9.

Amend line 93, commencing with the word "by," by striking out down to and including the word "and," on line 98.

Amendment adopted.

AMENDMENT No. 10.

Amend by striking out in line 131, beginning with the word "to," down to and including the word "column," on line 132.

Amendment adopted.

AMENDMENT No. 11.

Amend Section 13 of printed copy by inserting after the word "same," on line 173 thereof, the following: "the ballot shall be printed in the following form:" [See accompanying folder.]

Amendment adopted.

AMENDMENT No. 12.

Amend Section 14 by striking out in line 6, beginning with the word "by," down to and including the word "or," in line 7; also, by inserting the word "entire" between the words "the" and "slip," in line 30.

Amendment adopted.

AMENDMENT No. 13.

Amend Section 16 by striking out from line 13 to line 72 inclusive.

Amendment adopted.

Assembly Bill No. 19 ordered to print, engrossment, and third reading.

Mr. White moved that the rules be suspended, and the Assembly do now consider Assembly Bill No. 143.

So ordered.

Assembly Bill No. 143—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read second time.

The following committee amendment was submitted:

Strike out from line 22 the word "as," and from line 23 the word "amended," as the same appears on printed bill.

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Mr. Belshaw moved that the rules be suspended, and the Assembly do now consider Assembly Bill No. 450.

So ordered.

Assembly Bill No. 450—An Act to promote the purity of primary elections, and to punish offenses thereat.

Mr. Belshaw moved that Assembly Bill No. 562 be substituted for Assembly Bill No. 450.

So ordered.

Assembly Bill No. 562—An Act to amend the Penal Code of the State of California by adding a new section thereto, relating to primary elections, and to punishment of offenses thereat.

Read second time, ordered to engrossment and third reading.

Mr. Dibble moved that the rules be suspended, and that the Assembly do now consider Assembly Bill No. 141.

So ordered.

Assembly Bill No. 141—An Act providing for the use of separate ballot-boxes for each political party at primary elections.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 144—An Act concerning registration for primary elections.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 341—An Act to add thirteen sections to the Political Code of this State, to be known and designated as Sections 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, and 1378, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed on file.

Assembly Bill No. 451—An Act providing for the organization and reorganization of political parties and committees in certain cases of disorganization.

Passed on file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the over-

flow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Passed on file.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Read third time.

Mr. Miller of San Francisco moved that Assembly Bill No. 151 be referred to a select committee of one, with instructions to amend as follows:

Amend Section 1 by striking out of said Section 1 all of said Section 1, after line 12, all after the word "deposited," down to and including the word "burned," on line 17 of said section.

So ordered.

Mr. Miller of San Francisco was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1889, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

H. W. MILLER, *Committee.*

Report adopted.

Assembly Bill No. 151 ordered to print and reëngrossment.

Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

IN RE MILTON J. GREEN.

Mr. Works moved that the matter be continued until eleven o'clock A. M. of Tuesday, February 7, 1899.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Mr. Miller of Los Angeles moved to reconsider the vote whereby Committee Amendment No. 1 was on Saturday lost.

So ordered.

AMENDMENT No. 1

Amend by striking out all after line 2 of Section 1 of page 1 of printed bill, and inserting in lieu thereof the following words:

"Section 354 The Normal Schools at San José, at Los Angeles, and at Chico, and any Normal Schools established by the Legislature of the State after the first day of January, 1897, shall be known as State Normal Schools, and shall each have a Board of Trustees, constituted as follows: The Governor and Superintendent of Public Instruction shall be ex officio members of each board. There shall also be three other members of the local board for each Normal School, whose terms of office shall be four years, and who shall be appointed by the Governor, by and with the advice and consent of the Senate of the State of California. Nothing in this section contained shall be so construed as to affect the office of any trustee of a Normal School by appointment heretofore made by the Governor, until the expiration of four years from and after the first day of July next preceding the time when such trustee was appointed by the Governor. In filling any vacancy in the office of trustee in a Normal School, the Governor shall

make the first appointment for the full term of four years from the first day of July next preceding such appointment; *provided*, that if the appointment be made to fill the unexpired term of a trustee, where a vacancy has occurred during the term of a trustee, the appointment shall be only for the unexpired portion of such term."

Amendment lost.

AMENDMENT No. 2

Amend Section 2 by striking out all of lines 19 to 25, both inclusive, of said Section 2, on page 7 of the printed bill, and by substituting in lieu thereof the following words: "To elect necessary teachers upon their nomination by the principal, fix their salaries, and prescribe their duties; *provided*, that a teacher shall be subject to a removal only upon the recommendation of the principal, confirmed by a two-thirds vote of the members of the local board present and voting."

Amendment lost.

AMENDMENT No. 3.

Amend Section 3, by striking out all of that portion of said Section 3, beginning with and including line 4 thereof, on page 3 of the printed bill, and ending with and including line 35 thereof on page 4, and substituting therefor the following words:

"Section 1492 There shall be a Joint Board of Normal School Trustees to be composed of the members of the local boards of the several State Normal Schools. This board shall meet on the second Friday of April of each year, alternately, at the different State Normal Schools.

"The first regular meeting after the passage of this Act shall be at San Diego, the second at Chico, the third at Los Angeles, the fourth at San José, and thereafter the places of the regular meetings shall be located in the order above named, unless the Governor, upon the request of a majority of the members of the Joint Board, shall direct that such meeting shall be held at a different place. A special meeting may be called by the Governor for the transaction of any urgent business affecting the welfare of any or all of the State Normal Schools. It shall be the duty of this Joint Board:

"1. To appoint the principals of the State Normal Schools, and to fix the amounts of their salaries; *provided*, that the principal of a school, now in office or hereafter to be appointed, shall be subject to removal upon the order of the Joint Board made by the affirmative vote of at least nine members of the Joint Board.

"2. To sit as a board of arbitration in matters concerning the management of each State Normal School that may need adjustment.

"3. To prescribe a series of text-books for use in the State Normal Schools.

"4. To prescribe a uniform course of study and time and standard for graduation from the State Normal Schools.

"5. To prescribe a uniform standard of admission for students entering the Normal Schools.

"6. The Joint Board shall also have power to pass any general regulations that may be applied to all the State Normal Schools, affecting their well-being.

"7. Principals of the State Normal Schools and members of the Joint Board, in attending the meetings of the Joint Board, shall receive mileage while in actual attendance upon the meeting, the same to be paid out of any appropriation made by the Legislature for that purpose.

"8. The Superintendent of Public Instruction shall be Secretary of the Joint Board. The Secretary shall keep a full record of all proceedings of the joint meetings of the trustees, and shall notify the Secretary of each Board of Trustees of any changes made in the course of study or the text-books to be adopted."

Amendment lost.

Pending amendments, Assembly Bill No. 245 passed temporarily on file.

MOTION TO RECONSIDER.

Mr. Sanford moved to reconsider the vote whereby Assembly Bill No. 83 was refused final passage by the Assembly.

The roll was called, and pending the announcement of the result Mr. Sanford moved a call of the House.

The ayes and noes were demanded by Messrs. Sanford, Brooke, and Hoey.

The roll was called, and a call of the House refused by the following vote:

AYES—Messrs. Barry, Brooke, Burnett, Caminetti, Crowley, Devoto, Feliz, Griffin, Hoey, Johnson, Kelley, Kelsey, Knights, Le Baron, Lundquist, McDonald of Alameda, Mead, Melick, Muenier, O'Brien, Raub, Sanford, Eugene Sullivan, E. D. Sullivan, Wardell, and White—26.

NOES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Cobb, Conrey, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Hanley, Huber, Jilson, Knowland, La Barea, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of San Francisco, Pierce, Raw, Rickard, Robinson, Wade, Works, and Wright—37.

The vote on the motion to reconsider was announced, and lost by the following vote:

AYES—Messrs. Atherton, Blood, Boone, Brooke, Burnett, Caminetti, Devoto, Feliz, Griffin, Hoey, Johnson, Kelley, Kelsey, La Barea, Lundquist, Mack, McDonald of Alameda, Mead, Melick, Merrill, Merritt, Raub, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Works—29.

NOES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Brown, Cargill, Clough, Cobb, Conrey, Crowder, Crowley, Dale, De Lancia, Dunlap, Glenn, Greenwell, Hanley, Jilson, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Meserve, Milice, Miller of San Francisco, Pierce, Raw, Rickard, Robinson, and Wright—33.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Mr. Melick, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, February 7, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 7, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. McDonald of Alameda was granted leave of absence for one day, on motion of Mr. Belshaw.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Belshaw.

The Journal of Saturday, February 4, 1899, was approved.

MOTIONS.

Mr. Belshaw moved that Assembly Bill No. 596 be recalled from Committee on County and Township Governments, and re-referred to Committee on Judiciary.

So ordered.

Mr. Arnerich moved that Assembly Bill No. 411 be recommitted to Committee on Ways and Means.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 482—An Act to amend Section 2955 of the Civil Code of the State of California—report the same back, and recommend its passage.

Also: Assembly Bill No. 470—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Bill No. 384—An Act relating to "grub-stake contracts"—report the same back with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872—report the same back, with an amendment, and recommend its passage as amended.

Also: Assembly Bill No. 593—An Act to amend Section 1395 of the Code of Civil Procedure—report the same back, and recommend its passage.

Also: Assembly Bill No. 95—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary, and to appropriate money therefor—report the same back, and recommend that it do pass, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 188—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered "2039," concerning the manner in and the time within which certain objections to depositions shall be made—report the same back, with an amendment, and recommend its passage as amended.

JOHNSON, Chairman

Assembly Bill No. 95 referred to Committee on Ways and Means.

Assembly Bills Nos. 482, 470, 384, 183, 593, and 188 ordered on second-reading file.

ON MINES AND MINING

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBINSON, Chairman.

Assembly Bill No. 140 ordered on second-reading file.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution by Mr. Cosper:

Resolved, That the Secretary of State be and he is hereby instructed to purchase F. P. Deering's Annotated Codes of California, with Charles W. Palm Co's Code slips inserted at their proper places, together with California Code Citations—one set of each for the following named committees: Banks and Banking, Corporations, County and Township Governments, Contested Elections, Education, Federal Relations, Military Affairs, Mines and Mining, Municipal Corporations, Roads and Highways, Swamp and Overflowed Lands and River Improvements, Ways and Means, and deliver the same to said committees upon an order of the chairman thereof—the same to be paid out of the fund for the contingent expenses of the Assembly—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted

VALENTINE, Chairman.

Report of committee adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No 418—An Act providing for the study of the water supply and the location of reservoir sites to store the flood waters of streams in this State, to locate dams in connection with such reservoirs, determine the storage capacity of the same, and the cost of construction of the dams, and appropriating money to carry out the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same

Also: Assembly Bill No 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Directors of the United States Geological survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act

Also: Assembly Bill No 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

Also: Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Assembly Bill No 272—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of expert to the Controller, and prescribing his compensation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, repairs, and renewal of the furnishings of said mansion, and providing for the number and the salaries of the necessary employés and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith—have had the same under consideration, and respectfully report the same back, without recommendation.

Also: Senate Bill No. 37—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchases of State school lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 418 withdrawn by author.

Assembly Bills Nos. 538, 326, 279, 272, 509, and 573, and Senate Bill No. 37, ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Ways and Means hereby introduces Assembly Bill No —, an Act making an appropriation to pay the salaries of the employés of the Commissioner of Public Works for the forty-eighth fiscal year

Also: An Act making an appropriation to pay the claim of C. W. Spring & Son.

Also: An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Also: An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Also: An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth fiscal year.

Also: An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

And respectfully recommend that they do pass.

VALENTINE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employés of the Commissioner of Public Works.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 663—An Act making an appropriation to pay the claim of C. W. Spring & Son.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 666—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth fiscal year.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 667—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys now in the San Francisco Depot Sinking Fund

Also: Assembly Bill No. 459—An Act to amend Section 2440 of the Political Code of the State of California, approved March 12, 1872, relating to the appointment of Pilot Commissioners for San Francisco, Mare Island, and Benicia.

Also: Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension by the Board of State Harbor Commissioners of the seawall and thoroughfare of the harbor of San Francisco, on the water front of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNOWLAND, Chairman.

Assembly Bills Nos. 334 and 459, and Senate Bill No. 54 ordered on second-reading file.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 239—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 337—An Act to amend Section 2643 of the Political Code,

relating to the duties of the Boards of Supervisors, respecting roads—have had the same under consideration and respectfully report the same back, and recommend that it be withdrawn by author, as the matter is incorporated in substitute bill.

Also: Assembly Bill No. 505—An Act to, provide for the employment of the needy unemployed and of vagrants under sentence—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MELICK, Chairman.

Assembly Bills Nos. 239, 337, and 505 ordered on second-reading file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899

MR. SPEAKER: Your Committee on Commerce and Navigation beg leave to report that, in accordance with a resolution adopted by the Assembly on Wednesday, February 1, 1899, they have visited San Francisco, and met with the State Board of Harbor Commissioners, and with other gentlemen representing the commercial interests of said city, and have examined into matters contained in Assembly Bills Nos. 161, 334, 459, and 532, and Senate Bills Nos 54 and 144

There is now due to each of the following members of the committee, and the clerk thereof, the sum of \$18 for mileage: Knowland, Merritt, Devoto, Hanley, E. D. Sullivan, Conrey (in lieu of J. M. Miller), Brooke (in lieu of Glenn), and Storer, clerk We therefore recommend the adoption of the following:

Resolved, That the State Controller be, and he is hereby, directed to draw his warrant for the sum of \$144 in favor of Jos. R. Knowland, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

KNOWLAND, Chairman

Report and resolution adopted.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt Assembly Joint Resolution No. 5—A resolution as to making upon the island of Molokai a leper hospital for the care of all lepers in the United States.

Also: That the Senate on this day passed Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 5—Relative to setting apart a room in the State Capitol building for the office of Lieutenant-Governor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Concurrent Resolution No. 5 referred to Committee on Public Buildings and Grounds.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 6—Relative to the consent of the Legislature to the absence from the State of the Lieutenant-Governor of the State, Hon. Jacob H. Neff, for a period not to exceed six months.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

SENATE CONCURRENT RESOLUTION No. 6.

Relative to the consent of the Legislature to the absence from the State of the Lieutenant-Governor of the State, Hon. Jacob H. Neff, for a period not to exceed six months

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California has consented, and does hereby consent, that the Lieutenant-Governor of the State of California, the Hon. Jacob H. Neff, may depart from the State of California at any time during the remainder of his official term, and remain absent for a period not to exceed six months from, and immediately succeeding, the time of his departure.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 562, 141, and 144.

Assembly Bill No. 562—An Act to amend the Penal Code of the State of California by adding a new section thereto, relating to primary elections and to punishment of offenses thereat

Assembly Bill No. 141—An Act providing for the use of separate ballot-boxes for each political party at primary elections

Assembly Bill No. 144—An Act concerning registration for primary elections.

RICKARD, Chairman.

Assembly Bills Nos. 562, 141, and 144 ordered on second-reading file.

RESOLUTION—(OUT OF ORDER).

By Mr. Melick:

WHEREAS, There is now pending before the Secretary of the Interior at Washington, D. C., and awaiting his decision, certain surveys of thousands of acres of lands within California; and

WHEREAS, The present unsettled condition of those surveys leaves hundreds of homes of residents of California with clouded titles and in uncertain tenure, although these families have occupied those lands for many years; and

WHEREAS, This condition deprives this State and many of its counties from taxes from those lands; therefore, be it

Resolved, That this Assembly of the California Legislature does earnestly petition and request of the honorable Secretary of the Interior at Washington, D. C., that he at as early a date as possible render a decision and issue orders through the United States Land Department, that said citizens may as speedily as possible acquire titles to their lands and homes and that such lands may be added to our taxable domain; and

Resolved, That a certified copy of this resolution shall be at once mailed by the Chief Clerk to the honorable Secretary of the Interior at Washington, D. C.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 11—An Act to provide for the construction of a State highway or wagon road from Sacramento City to the town of Folsom, in Sacramento County, creating the offices of Folsom Highway Commissioners, providing for the appointment of an auditing board to the Folsom Highway Commissioners, authorizing and directing said commissioners and said auditing board to perform certain duties relating to the construction of such highway or wagon road, to condemn land and property for the purpose aforesaid, appropriating crushed rock and granite and stone blocks for drains, culverts, and bridges

for the same, and making an appropriation for the expenditures and purposes provided in this Act—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith presented do pass and be referred to Committee on Ways and Means, and that Assembly Bill No. 11 be withdrawn by author.

MELICK, Chairman.

Assembly Bill No. 11 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 254—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said Chapter II of Title VI of Part III of said Code, and substitute the same in the place of said repealed Chapter II in said Code, relating to roads and highways," approved February 28, 1883, relating to roads and highways.

Also: Assembly Bill No. 256—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as and numbered Section 2664, relating to highway taxes—have had the same under consideration, and respectfully report the same back, and recommend favorably as amended, and that it be referred to Committee on Judiciary.

Also: Assembly Bill No. 392—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Judiciary.

Also: Assembly Bill No. 582—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Also: Assembly Bill No. 583—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MELICK, Chairman.

Assembly Bills Nos. 254, 255, and 392 referred to Committee on Judiciary.

Assembly Bills Nos. 582 and 583 ordered on second-reading file.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 343—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAUB, Acting Chairman.

Assembly Bill No. 343 ordered on second-reading file.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Committee on Ways and Means: Assembly Bill No. 670—An Act making an appropriation for the support of the State Printing Office.

Read first time, and placed on second-reading file.

By Mr. Bliss: Assembly Bill No. 671—An Act for the relief of Hugo Duveneck, executor of the last will of Sigmund Thannhauser, deceased, for moneys paid through error by him as a tax on certain collateral bequests provided for in said will.

Read first time, and referred to Committee on Claims.

By Mr. Cosper: Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on Judiciary.

By Mr. Marvin: Assembly Bill No. 673—An Act to amend Section 3805 of the Political Code, relating to the cancellation of certificates of sale of land sold to the State for delinquent State and county taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 674—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Griffin: Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

Read first time, and referred to Committee on Judiciary.

By Mr. O'Brien: Assembly Bill No. 676—An Act entitled an Act to amend Section 5 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of bonds thereof, and the determination of their validity, and making a provision for the payment of such bonds, and the disposal of their proceeds, and for empowering sanitary boards to provide in other respects for the good order and welfare of sanitary districts," approved March 31, 1891, amended March 9, 1893, amended March 26, 1895.

Read first time, and referred to Committee on Judiciary.

By Mr. Pierce: Assembly Bill No. 677—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, poultry, grain, fruit, seeds, honey, or dairy produce.

Read first time, and referred to Committee on Judiciary.

By Mr. Boone: Assembly Bill No. 678—An Act to amend Section 553 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. De Lancie: Assembly Bill No. 679—An Act making appropriation to pay expenses incurred at the State Forestry Station, at Chico, California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dibble: Assembly Bill No. 680—An Act to amend Sections 537, 538, and 539 of the Code of Civil Procedure, relating to attachments.

Read first time, and referred to Committee on Judiciary.

By Mr. Cosper: Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890.

Read first time, and referred to Committee on Education.

By Mr. Jilson: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Read, and referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Dunlap:

Resolved, That for and by reason of services rendered the Assembly by William C. Guirey and Ed. J. Smith, as assistant clerks at the desk, from January 2, 1899, to February 6, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrants—one in favor of said William C. Guirey and one in favor of said Ed. J. Smith—Each for the sum of \$216, said sum being at the rate per diem as is paid the assistant clerks at the desk, and the State Treasurer is hereby directed to pay said two warrants out of the appropriation for the contingent expenses of the Assembly.

By Mr. Valentine:

Resolved, That for and by reason of services rendered the Assembly by A. C. Vignes, as Sergeant-at-Arms of the Committee on Ways and Means, and by Walter Trefry, as Sergeant-at-Arms of the Judiciary Committee, from January 21, 1899, to January 31, 1899 (both days inclusive), the Controller is hereby directed to draw his warrants, one in favor of said A. C. Vignes, and one in favor of said Walter Trefry, each in the sum of \$30, said sum being at the rate of \$3 per diem during said period of time; and the State Treasurer is hereby directed to pay said two warrants out of the appropriation for the contingent expenses of the Assembly.

Mr. Valentine moved that the two resolutions be adopted.

The roll was called, and the resolutions adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Cosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Grillon, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—67

NOES—Mr. Boone—1.

At ten o'clock and fifty minutes A. M., the Speaker called Mr. Valentine to the chair.

SPECIAL ORDER.

In re Milton J. Green contempt proceedings.

COMMUNICATION AND CERTIFICATE.

SACRAMENTO, February 7, 1899

This is to certify that Milton J. Green is not in condition to appear before the Assembly to-day without injuriously affecting his prospects of early recovery.

Respectfully,

F. W. HATCH, M.D

COMMUNICATION.

SACRAMENTO, February 7, 1899

To the Honorable the Assembly of the State of California

I have thought it proper to address you in writing on the subject of my refusal to answer certain questions propounded by your special investigating committee, inasmuch as the condition of my health admonishes me that I may not be able to appear in person at the bar of the Assembly in the near future.

I realize that your honorable body has awaited a time with patience in my case, and I assure you that it has been a matter of regret that I have been compelled to ask your indulgence in this behalf.

I testified before the committee, and here repeat that I never at any time or place paid any money or other consideration, or offered or promised to pay any money or other consideration, to any person as an inducement for a vote for United States Senator.

I deny that any contributions were conditioned upon the express or implied promise that the candidates should support any one for Senator. On the contrary, in most of the cases the contributions were made through some individual members of State, joint legislative, or county committees, but chiefly through prominent and active members of the party. In no instance was there an attempt or offer made by me to corrupt a candidate or exact a promise from him in return for any assistance from me.

Your committee has so found in their report, and have also found that all moneys expended by me were legitimately expended, and your honorable body has adopted this report.

To answer these questions which I failed to answer before the committee would in no instance show improper, illegitimate, or corrupt use of money, nor could such answers, if made, change in the least the findings already included in the committee's report, and adopted by the Assembly. To answer the questions propounded to me would be to divulge confidential communications, and would serve no useful purpose.

It is solely a question of honor with me. I have faith in the rectitude of my intentions, and am absolutely confident that answering these questions would in no wise change the report of your committee or the action of the Assembly.

I mean no disrespect to your committee or the Assembly, and trust that this explanation will convince your honorable body of that fact, and hereby waive my right to be personally present and now submit the matter to your judgment.

MILTON J. GREEN.

RESOLUTION.

By Mr. Crowder:

WHEREAS, Mr. Milton J. Green, being prevented by illness from attending the bar of this House in answer to its citation, has furnished the House with a written statement of his reasons for failure to answer questions propounded to him by the special committee of the House; and

WHEREAS, The said committee has made and filed its report on the main issues presented for its consideration, which report has been adopted by this House, and it appears that no practical good can result to this Assembly, or the people of California, by further consideration of the matters before the said committee; and

WHEREAS, It is desirable that the work of said special committee be brought to a close; therefore, be it

Resolved, That the contempt proceedings against Milton J. Green be dismissed, the report of the Special Investigating Committee heretofore adopted be considered as final, and said committee be fully and finally discharged, on the filing of its report of expenses incurred.

Mr. Dibble demanded a division of the question.

The Speaker decided the question divisible.

Mr. Valentine appealed from the decision of the Chair.

The Speaker stated the question: "Shall the ruling of the Chair stand as the decision of the House?"

The ayes and noes were demanded by Messrs. Johnson, Valentine, and Lundquist.

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Felix, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kennelly, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, and Wright—71.

NOES—Messrs. Burnett, Merrill, and Valentine—3.

Mr. Johnson moved that the further consideration be continued, and made special order for two o'clock P. M.

So ordered

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 7, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunnhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simps; Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Ilcoy, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, February 6, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, February 6, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For Stephen M. White—Senator Pace—1.
For James F. Smith—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, La Rue, Prisk, and Sims—10.

Whole number of votes cast by Senators	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	1 vote.
James F. Smith received	10 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knowland, Lardner, and Muenter—6
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Bree, Melick, Miller of Los Angeles, Robinson, and Valentine—9
For D. M. Burns—Messrs. Arnerich, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan and Wright—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For Irving M. Scott—Mr. Dunlap—1.
For John Rosenfeld—Mr. Crowley—1.
For James F. Smith—Messrs. Boone, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

Whole number of votes cast by Assemblymen.....	76
W. H. L. Barnes received.....	6 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	18 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
James F. Smith received.....	19 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	112
Necessary to a choice	57
W. H. L. Barnes received	10 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.

Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	1 vote.
James F. Smith received	29 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-seven minutes P. M., Assemblyman Belshaw moved that the Joint Assembly do now adjourn until Wednesday, February 8, 1899.

Motion carried.

Whereupon the President pro tem of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Wednesday, February 8, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Belshaw, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

IN RE MILTON J. GREEN CONTEMPT PROCEEDINGS—(RESUMED).

The Speaker declared the first part of the resolution as offered by Mr. Crowder before the Assembly:

Be it resolved, That the contempt proceedings against Milton J. Green be dismissed.

Roll call was demanded by Messrs. Valentine, Brown, and Bliss.

The roll was called, and the first part of the resolution lost by the following vote:

AYES—Messrs Beecher, Bliss, Blood, Crowder, De Lancie, Fairweather, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Miller of Los Angeles, Radcliff, Raw, Robinson, and Works—18.

NOES—Messrs. Arnerich, Atherton, Barry, Belshaw, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrev, Cosper, Crowly, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Lundquist, Mack, Marvin, McKeen, Mead, Melick, Meserve, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr Speaker—47

RESOLUTION.

By Mr. Brown:

Resolved, That Milton J. Green having refused to appear before this Assembly pursuant to the order heretofore made requiring him to show cause why he should not answer certain questions propounded to him by a committee, and having failed to show sufficient cause in his statement presented to this Assembly why he should not answer said questions, be, and is, therefore, considered in contempt of said Assembly because of said failure.

Resolved. That said Milton J. Green, having answered in his statement, this day submitted to this Assembly, that he is not ready to appear before said committee and make answer to said questions as aforesaid; that said witness, Milton J Green, be taken into custody by the Sergeant-at-Arms of the Assembly for the continuance of said contempt, and that such custody shall continue until said witness shall communicate to this Assembly that he is ready to appear and make answer, and that in executing this

order the Sergeant-at-Arms shall cause the said Green to be kept in his custody in the common jail of the County of Sacramento.

Mr. Dibble moved that the contempt proceedings, together with Mr. Brown's resolution, be continued and made the special order for Friday, February 10, at three o'clock and thirty minutes p. m.

So ordered.

MOTION.

Mr. Valentine moved that two reputable physicians of this city be appointed by the Speaker to wait upon Mr. Green, in company with Dr. Hatch, and ascertain Mr. Green's physical condition, and report to this House at ten o'clock a. m. to-morrow.

Mr. Kelley offered the following resolution as a substitute for Mr. Valentine's motion:

Resolved, That the Speaker be and he is hereby instructed to appoint a joint select committee of three reputable physicians and three members of this Assembly to investigate Mr. Green's physical condition, and to ascertain, if ill and unable to appear, when he can appear before the bar of this House, the committee to report to this House Friday, February 10, 1899, at two o'clock p. m.

Resolution adopted.

The question now recurring on the last part of Mr. Crowder's resolution, which reads as follows:

That the report of the Special Investigating Committee heretofore adopted be considered as final, and said committee be fully and finally discharged, on the filing of its report of expenses incurred.

Mr. Valentine moved to lay the resolution on the table.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 76—An Act to prevent deception in the manufacture and sale of butter in packages known as "short weight," and to prevent deception in the use of designs or brands.

Mr. Atherton moved that Senate Bill No. 76 be re-referred to the Committee on Dairies and Dairy Products.

So ordered.

Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Boone, Burnett, Caminetti, Cobb, Conrey, Crowley, De Lancie, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kenneally, Knowland, La Bree, Lardner, Lundquist, Mack, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—48

NOES—Messrs. Boynton, Brown, Clough, and Rickard—4.

Title read and approved.

SENATE JOINT RESOLUTION No. 15.

Relative to Brigham H. Roberts.

WHEREAS, One Brigham H. Roberts has been chosen by the voters of Utah as a member of the House of Representatives; and

WHEREAS, Brigham H. Roberts has been convicted and sentenced to prison for the

crime of unlawful cohabitation, and is notoriously living in a state of polygamy in defiance of the moral sense of the nation; and

WHEREAS, Brigham H. Roberts, in his practices, is but representative of the principles of the Mormon hierarchy, and his reception by Congress will be taken as an evidence that the assaults of the Mormon hierarchy on the basic principle of the family life of the nation are received with toleration, if not with approval; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That we urge the House of Representatives to deny participation in its counsels to Brigham H. Roberts; and further, be it

Resolved, That we request Congress to submit to the Legislatures of the several States an amendment to the Constitution forbidding polygamy within the United States, or in any place subject to their jurisdiction, and making a polygamist ineligible to public office.

Resolution read and adopted.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senate Bill No. 91 (Substitute for Assembly Bill No. 125)—An Act to prevent deception in the sale of process or renovated butter.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, De Lancey, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hoey, Huber, Jilson, Johnson, Kenneally, La Barea, Le Baron, Lardner, Lundquist, Marvin, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, O'Brien, Radcliff, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—48.

NOES—None.

Title read and approved.

SENATE JOINT RESOLUTION No. 7.

Relating to false branding of food products.

WHEREAS, It has become known to the people of the State of California that many of their staple articles of production, that commend themselves to the consumers of the world by reason of their purity and quality, markets for which have only been obtained by the expenditure of much time and energy, are being counterfeited by unscrupulous persons in many parts of the Union, by the substitution for the pure California product of certain mixtures or articles not the product of California, and labeling the packages containing them as being a pure product of California; and

WHEREAS, The subject of false branding and labeling of articles of food and beverages is recognized by producers and consumers throughout the civilized world as being of vital importance to commerce and the health of the people, being especially so to the producers of California, who, by reason of their large annual output, seek foreign markets for their surplus products, and who find that the good name and reputation of their goods are seriously injured in the markets of the world, and the trade therein restrained by reason of such false branding and labeling; and

WHEREAS, This condition is fully met by the provisions of a bill entitled "A bill for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs and condiments in the several States, the District of Columbia and the Territories, and for regulating interstate traffic therein and for other purposes," introduced in the National House of Representatives by Hon. Marriot Brosius (H. R. 9154), and in the Senate by Hon. Charles J. Faulkner (S. No. 4144), and indorsed by the National Pure Food Congress, which makes such false branding and labeling a misdemeanor, Section 5 of which provides that the term "misbranded," as used therein, "shall include all drugs, or articles of food, or articles which enter into the composition of foods or condiments, the package or label of which shall bear any statement purporting to name any ingredients or substances as not being contained in such article, which statement shall be false in any particular, or any condiment or food product which is falsely branded as to the State or Territory in which it is manufactured or produced"; therefore, be it

Resolved by the Senate and Assembly, jointly, That we hereby instruct our Senators, and request our Representatives in Congress from this State, to urge by all possible means the passage of the Faulkner and Brosius bills by Congress at an early date; and be it further

Resolved, That the Secretary of State is hereby instructed to forward certified copies of the foregoing resolutions to the Senators and Representatives from this State in the Fifty-fifth and Fifty-sixth Congresses

Resolution read and adopted.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Passed on file, and ordered placed at the head of third-reading file for Wednesday, February 8, 1899, on motion of Mr. E. D. Sullivan.

UNFINISHED BUSINESS.

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Read second time.

Mr. Valentine moved to amend as follows:

Amend by striking out all of Subdivision 6 of Section 2, second page, printed bill, and inserting in lieu thereof the following:

"6. To elect the President of the School, and to elect the teachers upon their nomination by the President of the school, fix their salaries and prescribe their duties; *provided*, that after the President, or a teacher, has served successfully and acceptably in the school for the period of two years prior to or after the passage of this Act, his or her appointment thereafter may, at the discretion of the Board of Trustees, be made for a term not to exceed four years, unless removed for cause."

Amendment adopted.

Also: Amend by striking out all of lines 4, 5, 6, 7, 8, and 9, down to and including the word "schools," and inserting in lieu thereof the following:

"1492 There shall be a Joint Board of Normal School Trustees, to be composed of the chairman and two other members of each local board, such other members to be selected by their respective local boards for each joint meeting; the Presidents of the different State Normal Schools shall also be ex officio members of the Joint Board. Said Joint Board shall meet on the second Friday in April of each year, alternately at the different State Normal Schools."

Amendment adopted.

Also: Amend by inserting the following after line 22: "3. To sit as a Board of Arbitration in matters concerning the management of each State Normal School that may need adjustment."

Also: Amend by renumbering the remaining sub-sections of said Section 3.

Amendment adopted.

Also: Amend by striking out all of Sub-section 1 of Section 3, printed bill, and inserting the following:

"SECTION 1. To prescribe a uniform series of text-books for use in the State Normal Schools. The State series of text-books shall be used, when published, in the grades and classes for which they are adapted."

Amendment adopted.

Assembly Bill No. 245 ordered to print, engrossment, and third reading.

MOTION TO RECONSIDER.

Mr. Caminetti moved to reconsider the vote whereby Assembly Bill No. 416 was ordered to engrossment.

So ordered.

Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248 and 249, relating to the committees of the respective houses of Legislature, and to the duties of the Judiciary Committees thereof.

Mr. Caminetti moved to amend as follows:

Amend said bill by striking out therefrom "Sec. 3" thereof.

Amendment adopted.

Assembly Bill No. 416 ordered to print, engrossment, and third reading.

MOTION.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any State prison, or State reformatory, or within the grounds of such institution, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

Also: Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian.

Also: Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries to collect and import into this State parasites and predaceous insects.

Also: Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary

Assembly Bills Nos. 361, 68, 160, and 69 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 65—An Act to add a new section to the Political Code, to be known as Section 793, relating to notaries public.

Also: Senate Bill No. 82—An Act authorizing the State Treasurer to furnish his office, and the vault therein, and making an appropriation therefor.

Also: Senate Bill No. 32—An Act to amend Section 595 of the Civil Code, relating to powers of benevolent corporations.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 65—An Act to add a new section to the Political Code, to be known as Section 793, relating to notaries public.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 82—An Act authorizing the State Treasurer to furnish his office, and the vault therein, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 32—An Act to amend Section 595 of the Civil Code, relating to powers of benevolent corporations.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders, and brakes, and to prescribe penalties.

Also: Senate Bill No. 12—An Act to prevent the maintenance against the State, or any officer thereof, by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county or any officer thereof for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Substitute for Senate Bill No. 151—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California, ex rel. E. P. Colgan, State Controller, plaintiff, vs. J. N. E. Wilson, F. C. De Long, and I. D. Byrnes, defendants," wherein judgment was obtained against the defendants in the Superior Court of the County of Sacramento, State of California, which action is numbered 5,990 in said Court (which judgment as against the said J. N. E. Wilson was affirmed by the Supreme Court of the State of California), upon the payment to him for the use of the State of the sum of \$649 93, heretofore paid by said J. N. E. Wilson into the said Superior Court, and upon the further consideration of an assignment by said J. N. E. Wilson to the State of California of all his right, title, and interest in and to any and all of the moneys deposited by the said J. N. E. Wilson as Insurance Commissioner, in the Pacific Bank of San Francisco, and now remaining therein.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 72—An Act to promote the safety of employé's and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Read first time, and referred to Committee on Corporations.

Senate Bill No. 12—An Act to prevent the maintenance against the State or any officer thereof by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county, or any officer thereof, for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 151—An Act for the relief of John N. E. Wilson, ex-Insurance Commissioner of the State of California, and of James D. Byrnes and Frank C. De Long, the bondsmen of said John N. E. Wilson, ex-Insurance Commissioner, and authorizing the Attorney-General of the State of California to enter satisfaction of judgment for the sum of \$4,063 82, in full settlement of the suit entitled "The People of the State of California, upon the complaint of E. P. Colgan, as Controller of said State, plaintiff, vs. John N. E. Wilson, Frank C. De Long, and James D. Byrnes, defendants."

Read first time, and referred to Committee on Judiciary.

MOTION.

Mr. Rickard moved that the rules be suspended, and that the Assembly do now consider Assembly Bill No. 375.

So ordered.

Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Read second time, ordered to engrossment and third reading, and to take its place on special file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Passed on file.

LEAVE OF ABSENCE.

Mr. Sanford was granted leave of absence for this afternoon and to-morrow forenoon, on motion of Mr. Burnett.

Mr. Knights was granted leave of absence for the day, on motion of Mr. Valentine.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties

of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, and 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Passed on file.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed temporarily on file.

At three o'clock and fifty minutes p. m., the Speaker called Speaker pro tem. Dunlap to the chair.

Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Passed on file.

Assembly Joint Resolution No. 17—Relative to restricting Japanese immigration as to laborers, women, etc.

Passed on file.

Assembly Bill No. 88—An Act to establish, ratify and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed temporarily on file.

Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Read third time, passed on file, but to retain place on file.

Assembly Bill No. 156—An Act for protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Passed on file.

Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Boone, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Johnson, Kelsey, Kenneally, Knowland, La Barge, Le Baron, Lardner, Lundquist, Mack, Marvin, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raw, Rickard, Robinson, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Boone, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knowland, La Barge, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Raw, Rickard, Robinson, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 492—An Act to reorganize the State Board of Health, and to grant it additional powers.

Re-referred to Committee on Ways and Means, and to retain place on file.

Assembly Bill No. 399—An Act to amend an Act entitled “An Act to provide for the organization and management of county fire insurance companies,” approved April 1, 1897, by amending Section 10 thereof.

Passed on file.

Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled “An Act to establish a Penal Code,” approved February 14, 1872, relating to the marking and branding of domestic animals, and the alteration and defacement of marks and brands on domestic animals.

Passed on file.

ADJOURNMENT.

At four o'clock and ten minutes P. M., on motion of Mr. Mead, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, February 8, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 8, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—74

Quorum present.

LEAVE OF ABSENCE.

Mr. Clark was granted leave of absence for the day, on motion of Mr. Kelsey.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Dibble.

The Journal of Monday, February 6, 1899, was read and approved.

APPOINTMENT OF COMMITTEE.

The Speaker appointed the following committee, under Mr. Kelley's

resolution of yesterday: Belshaw, Chairman; Works, and Boone. Physicians—Drs. W. H. Baldwin, G. L. Simmons, and W. F. Wiard.

PETITION.

By Mr. Raub:

In relation to excessive rate of taxation in Yuba County; also, to repeal a law to create a separate Superior Court for Sutter County, and fixing the Judge's salary thereof at \$4,000 per year, other salaries of county officials to be reduced to a reasonable amount; fixing the pay of Board of Supervisors at \$5 per day each while in actual service, and \$300 per annum to Road Commissioners, and that court reporters be paid \$10 per day while actually employed in criminal cases, instead of \$100 per month, as at present.

Petition signed by 710 residents of said county

At ten o'clock and ten minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

RESOLUTION.

By Mr. Knowland:

Resolved, That the Controller of the State be and he is hereby directed to draw his warrant in favor of C. W. Kyle, Chief Clerk of the Assembly, for the sum of \$75, for rubber stamps and rubber utensils, expressage, postage, and telegraphing, the same to be payable out of the appropriation for the contingent expenses of the Assembly.

Read, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 648—An Act adding two new sections to the Political Code of this State, to be numbered 1118 and 1119, concerning elections, providing for registration for primary elections—have had the same under consideration, and respectfully report the same back, and recommend that Assembly Bill No. 648 be substituted for Assembly Bill No. 144, and that said Assembly Bill No. 648 do pass.

Also: Assembly Bill No. 647—An Act adding fifteen new sections to the Political Code, to be numbered consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections—have had the same under consideration, and respectfully report the same back, and recommend that Assembly Bill No. 647 be substituted for Assembly Bill No. 341, and that Assembly Bill No. 647 do pass.

Also: Assembly Bill No. 479—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 1204, 1211, and 1260 thereof, relating to elections—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

Also: Assembly Bill No. 601—An Act adding fifteen new sections to the Political Code, to be numbered consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw same.

Also: Assembly Bill No. 142—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated—have had the same under consideration, and respectfully report the same back, and recommend that the same, as amended, do pass

BELSHAW, Chairman.

Assembly Bills Nos. 648, 647, 479, 601, and 142 ordered on second reading file.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899

MR. SPEAKER. Your Committee on State Hospitals and Asylums, authorized to visit the various State Hospitals, respectfully report that they have visited the Home for the Adult Blind at Oakland, and the State Hospital for the Insane at Agnews, and have inspected both institutions, and may hereafter recommend certain improvements desired at either of said institutions.

WADE, Chairman.

Report adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR SPEAKER: Your Committee on Judiciary having had under consideration Assembly Bill No. 123—An Act to prevent the maintenance against the State, or any officer thereof, by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county, or any officer thereof, for services rendered in the assessment, equalization, auditing and collection of ad valorem taxes—report the same back without recommendation.

Also: Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes—report the same back, and advise and state that it is constitutional, and that it be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 346—An Act to amend Section 1699 of the Code of Civil Procedure, relating to the settlement of accounts of trustees and to compensation of trustees—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897—report the same back, and recommend that it be referred to Committee on Irrigation.

Also: Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges and officers connected with the Supreme Court—report the same back, with two amendments, and recommend its passage as amended.

Also: Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State, approved March 9, 1893.

Also: Assembly Bill No. 569—An Act to amend Section 602 of the Penal Code of the State of California, and to add a new subdivision thereto, to be known as Subdivision 8, making it a misdemeanor for animals to trespass upon property of another.

Also: Assembly Bill No. 613—An Act requiring hotel and lodging-house keepers to keep ropes in sleeping-rooms to facilitate escape in case of fire.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operation of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners—report the same back, with two amendments, and recommend its passage as amended.

Also: Assembly Bill No. 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California.

Also: Assembly Bill No. 585—An Act to amend Section 529 of the Code of Civil Procedure, relating to injunctions, approved March 15, 1880.

Also: Assembly Bill No. 409—An Act to amend Section 592 of the Penal Code of the State of California.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 410—An Act to add a new section to the Penal Code of the State of California—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Introduce as a bill the Revised Civil Code as prepared by the Code Commission.

JOHNSON, Chairman.

Assembly Bills Nos. 123, 346, 255, 569, 613, 440, 119, 585, 409, and 410, and Senate Bills Nos. 56 and 127 ordered on second-reading file.

Assembly Bill No. 105 referred to Committee on Ways and Means.

Assembly Bill No. 447 referred to Committee on Irrigation.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 544—An Act making an appropriation to pay for the support of the Southern California State Hospital for the fifty-first and fifty-second fiscal years—have had the same

under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

VALENTINE, Chairman

Assembly Bill No. 544 withdrawn by author.

Mr. Johnson moved that Assembly Bill No. 105 be referred to Committee on Ways and Means.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolutions:

Resolved, That the Controller be and he is hereby directed to draw his warrant, and the Treasurer is authorized to pay the same, for the sum of \$585 05, in favor of W. O. Banks, Sergeant-at-Arms of Assembly, from the Contingent Fund, to pay for articles as per attached vouchers:

Capital Transfer Co.....	\$0 25
Day & Joy.....	4 50
Charles Flohr.....	25
Locke & Lavenson.....	1 20
Hale Bros.....	24 75
Wells, Fargo & Co.....	1 30
John Breuner.....	142 65
Union Ice Co.....	5 50
Tom Scott.....	93 90
Washing towels.....	6 50
Buffalo Brewing Co.....	11 00
H. S. Crocker & Co.....	241 25
Capital Water Co.....	52 00
	<hr/>
	\$585 05

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$306 55, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per attached vouchers:

John Breuner ..	\$12 50
Tom Scott.....	36 90
John Breuner.....	15 25
Capital Electric Works.....	161 90
John Breuner.....	45 25
John Breuner.....	34 75
	<hr/>
	\$306 55

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer instructed to pay the same, for the sum of four hundred and thirty-five dollars and seventy-five cents (\$435 75), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, from the Contingent Fund, to pay for articles as per attached bill:

Bought of H. S. Crocker Co :

249 Keystone binders, at \$1 75 each..... \$435 75

As per resolution of January 5, 1899.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

VALENTINE, Chairman

Report and resolutions adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act"—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Roads and Highways.

Also: Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, California, and the trustees thereof, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 616—An Act to provide for the purchase of new carpets, draperies, and furniture for the Senate and Assembly chambers and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the home of the Veterans' Home Association, approved March 7, 1883,' providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita.

Also: Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and the vault connected therewith, and making an appropriation therefor.

Also: Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks filter, and lay pipes in the Capitol grounds.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District, and the trustees thereof, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 95—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary; and to appropriate money therefor.

Also: Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Also: Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis

Also: Assembly Bill No. 618—An Act making an appropriation to pay the claim of Office Specialty Manufacturing Company for metallic furniture furnished the office of the Clerk of the Supreme Court at Sacramento.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VALENTINE, Chairman.

Assembly Bill No. 542 referred to Committee on Roads and Highways.

Assembly Bills Nos. 208, 77, 78, 79, 555, 616, 82, 353, 411, 617, 597, 76, 80, 81, 95, 351, 574, and 618 ordered on second-reading file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 549—An Act to prohibit corporations doing a fire or marine or fire and marine insurance in this State from advertising or publishing in this State any statement of capital not fully paid up in cash, or any assets not liable for losses in the United States, or of any assets not subject to the jurisdiction of the courts of the United States—report the same back, with an amendment, and recommend that it do pass as amended.

RAUB, Chairman.

Assembly Bill No. 549 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos 349 and 30.

Assembly Bill No. 349.—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Assembly Bill No. 30.—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

And the following bills correctly engrossed: Assembly Bills Nos. 438, 348, 156, 399, 358, 357, 138, 247, and 416:

Assembly Bill No. 438.—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

Assembly Bill No. 348.—An Act to amend Sections 1 and 2 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Assembly Bill No. 156.—An Act for the protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Assembly Bill No. 399.—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Section 10 thereof.

Assembly Bill No. 358.—An Act to amend Section 407 of the Code of Civil Procedure of the State of California, relating to summons.

Assembly Bill No. 357.—An Act to amend Section 814 of the Code of Civil Procedure, relating to summons in the Justices' Court.

Assembly Bill No. 138.—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Assembly Bill No. 247.—An Act prohibiting the payment of money by the State to counties for the collection of taxes.

Assembly Bill No. 416.—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered respectively Sections 248 and 249, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary Committees thereof.

RICKARD, Chairman.

Assembly Bills Nos. 349, 30, 438, 348, 156, 399, 358, 357, 138, 247, and 416 ordered on second-reading file.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 146—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands,' approved April 15, 1880," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DUNLAP, Chairman.

Assembly Bill No. 146 ordered on second-reading file.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 317—An Act to amend Section 628 of the Penal Code, relative to the protection of certain fish, lobsters, crawfish, and crabs—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn by the author.

Also: Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 377—An Act to amend Section 632 of the Penal Code, relating to fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 356—An Act for the protection and propagation of shrimps—have had the same under consideration, and respectfully report the same back without recommendation.

EUGENE SULLIVAN, Chairman.

Assembly Bill No. 317 withdrawn by author.

Assembly Bills Nos. 365, 377, and 356 ordered on second-reading file.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No, 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Also: Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols for services rendered to the State of California.

Also: Assembly Bill No 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for moneys due and owing to the said Claus Spreckels from the State of California.

Also: Assembly Bill No. 598—An Act appropriating money to pay the claim of William Henry Murray, State Superintendent of Ramee Culture.

Also: Assembly Bill No 252—An Act to pay the claim of E. N. Strout for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Also: Assembly Bill No 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named in attending the joint meetings of the Normal School Boards, held at San José, June 27, 1897, and at Sacramento, December 14, 1898.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No 415—An Act making an appropriation to pay the claim of Julius Herzog for injuries sustained while in the service of the National Guard of California—have had the same under consideration, and respectfully report the same back without recommendation, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No 428—An Act to provide for the payment of the bounty due Joseph Schwindel, under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Also: Assembly Bill No 65—An Act making an appropriation to pay the claim of Maria Willhartitz for moneys paid through error by her to the State as interest on certificate of purchase of State school lands from the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and that they be referred to Committee on Ways and Means

WILLIAM McDONALD, Chairman.

Assembly Bills Nos. 525, 481, 594, 598, 252, 303, 405, 415, 428, and 65 referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 260—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Also: Assembly Bill No 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HUBER, Chairman

Assembly Bills Nos. 260 and 383 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report

that the following bill has been correctly engrossed: Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

RICKARD, Chairman

Assembly Bill No. 375 ordered on second-reading file.

Mr. Merrill moved that Assembly Bill No. 299 be re-referred to Committee on Public Morals.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Huber: Assembly Bill No. 682—An Act to amend Section 2655 of the Political Code, relating to highway taxes.

Read first time, and referred to Committee on Judiciary.

By Mr. Raub (by request): Assembly Bill No. 683—An Act to repeal an Act entitled "An Act to provide for the election or appointment of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salaries of each of said Judges," approved March 2, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Devoto: Assembly Bill No. 684—An Act to prevent the propagation of disease through contamination of the atmosphere by gases or fumes arising from crematories for the disposition of garbage, ashes, offal, and other refuse matter, and to prescribe penalties.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Henry: Assembly Bill No. 685—An Act entitled "An Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as a slot machine, within the State of California."

Read first time, and referred to Committee on Public Morals.

By Mr. Lardner: Assembly Bill No. 686—An Act to amend Section 2 of an Act entitled "An Act to require an inventory of the State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Read first time, and referred to Committee on County and Township Governments.

WITHDRAWAL OF BILLS.

Assembly Bills Nos. 418 and 337 withdrawn by their authors.

Mr. White moved that Assembly Bill No. 648 be substituted for Assembly Bill No. 144 (No. 10 on file).

Also: That Assembly Bill No. 647 be substituted for Assembly Bill No. 341 (No. 11 on file), in pursuance to the report of the Committee on Election Laws.

So ordered.

Mr. White also asked unanimous consent to withdraw Assembly Bills Nos. 144, 341, and 601.

Consent granted.

RESOLUTION—(OUT OF ORDER).

By Mr. Miller of San Francisco:

Resolved, That the Committee on Public Morals, and the clerk of the same, be granted leave of absence from Wednesday afternoon to Friday morning, inclusive, to go to San Francisco and such adjacent places as may be necessary, for the purpose of

investigating the matter of poolselling, poolrooms, and kindred vices now before said committee, and hear any necessary testimony thereof, and that the usual mileage for such purposes be allowed and paid from the Contingent Fund of the Assembly.

Resolution lost.

INTRODUCTION OF BILLS—(RESUMED).

By Committee on Judiciary Assembly Bill No. 687—An Act to revise, amend, and reenact an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Pending first reading of Assembly Bill No. 687, Mr. Johnson moved that further reading be made a special order for to-morrow, after introduction of bills.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Wade:

Resolved, That for and by reason of services rendered the Assembly by John Kofod, as a Porter and assistant to Sergeant-at-Arms, from January 2, 1899, to February 8, 1899 (both days included), the Controller of State is hereby directed to draw his warrant in favor of said John Kofod for the sum of \$114, for thirty-eight days, at \$3 per day, the same being the rate paid to other Porters, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Attachés and Employés.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1899.

MR. SPEAKER. Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals and asylums, having visited the Home for the Adult Blind at Oakland and the State Hospital at Agnews, and having made its report, herewith presents the account of expenses of the members of the committee, as follows:

Wade.....	\$18 20
Dunlap.....	18 20
Cargill.....	24 80
Marvin.....	24 80
La Bree.....	24 80
Lundquist.....	24 80
Crowly.....	24 80
Meserve.....	24 80
Boynton (substitute for Clark).....	24 80
Total	\$210 00

And we ask the adoption of the following:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Owen Wade, Chairman of the Committee on State Hospitals and Asylums, for the sum of \$210, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

WADE, Chairman.

Report of committee adopted.

The following amendment was submitted by Mr. Raw:

Amend by inserting after the words "Assembly," the words "and the Controller is hereby directed to draw his warrant in favor of Miss M. Peterson for the sum of \$60, being at the rate of \$4 per diem, and the Treasurer is hereby directed to pay the same."

Amendment adopted.

Referred to Committee on Attachés and Employés.

RESOLUTION WITHDRAWN.

Mr. Raw asked to be permitted to withdraw the resolution for W. J. Kirkpatrick for the sum of \$150, on account of error.

So ordered.

At ten o'clock and fifty-five minutes A. M., the Speaker resumed the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Blood: Assembly Bill No. 688—An Act to amend Section 188 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the fees of justices and constables in counties of the thirty-first class.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Greenwell: Assembly Bill No. 689—An Act entitled "An Act to protect the pheasant, or 'bob-white,' and vesting powers in the Boards of Supervisors of the several counties to establish an open season, and providing for the punishment of any violations of this Act."

Read first time, and referred to Committee on Fish and Game.

Mr. Mead moved that the special file be passed, and the Assembly do now take up third-reading file.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Passed on file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Passed on file.

Mr. Griffin moved that Assembly Bill No. 675 be recalled from Committee on Judiciary, and re-referred to Committee on Agriculture.

So ordered.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 30—An Act to amend Sections 2579, 2588, 2589, 2590, 2591, and 2605 of the Political Code, approved March 12, 1872, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Boone, Boynton, Brown, Cobb, Conrey, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, White, Works, Wright, and Mr. Speaker—57

NOES—Mr. Burnett—1.

Title read and approved.

Mr. Dunlap moved that Assembly Bill No. 521 be recalled from Committee on Fruit and Vine Interests, and re-referred to Committee on Ways and Means.

So ordered.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

Passed on file.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Mr. Rickard moved to refer Assembly Bill No. 376 to a select committee of one, with instructions to amend as follows:

After the word "require," on line 8, printed bill, insert "*provided*, that not more than six such officers shall be so appointed."

So ordered.

Mr. Rickard was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

RICKARD, Committee

Report adopted.

Assembly Bill No. 376 ordered to print and reëngrossment.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 151—An Act supplemental to an Act entitled “An Act to authorize the incorporation of rural cemetery associations,” approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Passed on file.

Assembly Joint Resolution No. 17 (Substitute for Assembly Concurrent Resolution No. 8)—Relative to restricting Japanese immigration as to laborers, women, etc.

Passed on file.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Read third time, and passed temporarily on file.

Assembly Bill No. 13—An Act to provide for the dredging and improvement of Alviso Slough, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Boynton, Brown, Burnett, Caminetti, Cargill, Conrey, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, F. D. Sullivan, Wardell, Works, Wright and Mr. Speaker—55.

NOES—Messrs. Boone, Le Baron, and Wade—3.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Pierce:

WHEREAS, Various bills have been referred to the Committee on Public Buildings and Grounds, calling for large appropriations of money for buildings, improvements, and betterments;

Resolved, That said committee is hereby authorized to visit the various public buildings for the purpose of investigating and intelligently determining what improvements are indispensable, and what, if any, of the proposed improvements can, without material detriment to such institutions, be dispensed with; and it is further

Resolved, That said committee is hereby granted a leave of absence for said purpose.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V of the Political Code, relating to the State Library.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble,

Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Stewart, Eugene Sullivan, Wade, Wardell, Works, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Bill No. 156.—An Act for protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancia, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—63

NOES—None.

Title read and approved.

Assembly Bill No. 492 (Substitute for Assembly Bill No. 73)—An Act to reorganize the State Board of Health, and to grant it additional powers.

Passed on file.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Section 10 thereof.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, to whom was referred Assembly Bill No. 232—An Act authorizing the Secretary of State to appoint a clerk in addition to the number now allowed by law, and to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 290—An Act creating a Board of State Charities, and prescribing its duties and powers

Also: Assembly Bill No. 350—An Act to establish a State Board of Charities and Corrections, prescribe its duties, and appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn by the authors and the substitute do pass.

Also: Assembly Bill No. 468—An Act prohibiting officers and employes of State institutions visiting Sacramento during the session of the Legislature unless required by the Governor, by the Legislature or either House thereof, or by a committee of the Legislature, and for the betterment of the public service—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

CONREY, Chairman.

Assembly Bills Nos. 232 and 468 ordered on second-reading file.

Assembly Bills Nos. 350 and 290 withdrawn by authors.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Commissions and Public Expenditures: Assembly

Bill No. 698 (Substitute for Assembly Bills Nos. 290 and 350)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Read first time, and referred to Committee on Ways and Means.

RECESS.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Kelsey, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ARNERICH, Chairman.

Assembly Bill No. 31 ordered on second-reading file.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 8, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Gosper, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, February 7, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, February 7, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For E. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Betman, Burnett, Hoey, Leavitt, Shortridge, and Wolfe—6.
For U. S. Grant, Jr.—Senators Boyce, Jones, Maggard, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10
For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators	34
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	6 votes.
J. S. Grant, Jr., received	6 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	10 votes.
William T. Jeter received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.

For *R. N. Bulla*—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For *D. M. Burns*—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17

For *C. N. Felton*—Mr. Brown—1.

For *U. S. Grant, Jr.*—Messrs. Bliss, Blood, Cargill, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For *Irving M. Scott*—Mr. Dunlap—1.

For *Marion De Vries*—Mr. Brooke—1.

For *Stephen M. White*—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—18.

For *John Rosenfeld*—Mr. Crowley—1.

For *William T. Jeter*—Mr. Burnett—1.

Whole number of votes cast by Assemblymen	76
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	18 votes.
John Rosenfeld received	1 vote.
William T. Jeter received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	23 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	28 votes.
William T. Jeter received	2 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

At twelve o'clock and twenty-five minutes P. M., Assemblyman Dibble moved to adjourn.

The ayes and noes were demanded by Senator Smith, and Assemblymen Dale and Works.

The Secretary of the Senate called the roll of Senators, with the following result:

AYES—Senators Ashe, Bettman, Boyce, Bulla, Burnett, Currier, Curtin, Davis, Dickinson, Flint, Gillette, Hall, Hoey, La Rue, Leavitt, Luchsinger, Morehouse, Prisk, Rowell, Shortridge, Simpson, Sims, Taylor, and Wolfe—24.

NOES—Senators Braunhart, Cutter, Doty, Dwyer, Jones, Maggard, Nutt, Pace, Smith, Stratton, and Trout—11.

The Chief Clerk of the Assembly called the roll of Assemblymen, with the following result:

AYES—Messrs. Arnerich, Barry, Beecher, Boone, Boynton, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Devoto, Dibble, Dunlap, Feliz, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, McKeen, Mead, Melick, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard,

Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—45.

NOES—Messrs. Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Cargill, Crowder, Crowley, Dale, De Lencie, Fairweather, Glenn, Greenwell, Griffin, Hanley, Huber, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milce, Radcliff, Raub, Raw, Wardell, and Works—33.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock m. of Thursday, February 9, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty minutes p. m., the Speaker declared a recess until two o'clock p. m.

REASSEMBLED.

At two o'clock p. m., the Assembly reconvened.
Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 37—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchasers of State school lands.

Read second time.

Mr. Valentine moved that the House do now resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 37.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 37 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 37—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchasers of State school lands—and do now report, and recommend that the same do pass.

ANDERSON, Chairman

Report adopted.

Senate Bill No. 37 ordered on second-reading file.

Senate Bill No. 54—An Act to provide for the issuance and sale of bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Referred to Committee on Ways and Means.

THIRD-READING FILE.

Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code." approved February 14, 1872, relat-

ing to the marking and branding of domestic animals, and the alteration and defacement of marks and brands on domestic animals.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cowan, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Mr. Raub moved that Assembly Bill No. 683 be recalled from Committee on County and Township Governments, and referred to Committee on Judiciary.

So ordered.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs Blood, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Milce, Miller of San Francisco, O'Brien, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, and White—24.

NOES—Messrs Atherton, Beecher, Belshaw, Bliss, Boone, Boynton, Brown, Cargill, Clough, Conrey, Crowder, Dale, Dibble, Dunlap, Huber, Jilson, Johnson, Kelley, Kenneally, Knowland, La Bree, Le Baron, Lardner, Lundquist, McKeen, Melick, Meserve, Muentner, Raub, Rickard, Sanford, Valentine, Wade, Works, Wright, and Mr. Speaker—36.

NOTICE OF RECONSIDERATION.

Mr. Sanford gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 88 was this day refused final passage.

Assembly Bill No. 393—An Act to secure to native born and naturalized citizens of the United States the exclusive right to labor on public works in this State.

Read third time.

Mr. Mead moved to refer Assembly Bill No. 393 to a select committee of one, with instructions to amend as follows:

Amend Section 3 of printed bill by striking out all of said section after the word "improvement," in line 13.

So ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 393—An Act to secure to native born and naturalized citizens of the United States

the exclusive right to labor on public works in this State—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

MEAD, Committee.

Report adopted.

At three o'clock and fifty minutes P. M., the Speaker called Mr. Wade to the chair.

Mr. Melick moved to refer Assembly Bill No. 393 to a select committee of one, to amend as follows:

Strike out of Section 1, line 6, the words "or by any irrigation district "

Mr. Belshaw moved to amend by substituting the following:

Amend by striking out in lines 4 and 5, beginning with the words "or by any county," down to and including the word "State," in line 7.

Amendment lost.

The question now recurring upon the motion offered by Mr. Melick.

Motion lost.

Mr. Fairweather moved that Assembly Bill No. 393 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out on line 1 the word "or" and inserting the following after the words "or naturalized": "one who has declared his intentions to become a."

The ayes and noes were demanded by Messrs. Melick, Huber, and Hanley.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Belshaw, Caminetti, Cowan, Dale, Fairweather, Feliz, Glenn, Griffin, Hanley, Huber, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, Melick, Merrill, Meserve, Milice, Pierce, Robinson, Stewart, E. D. Sullivan, Wade, and White—24.

NOES—Messrs. Arnerich, Atherton, Bliss, Boone, Brooke, Brown, Burnett, Cargill, Cobb, Crowder, Devoto, Dibble, Dunlap, Greenwell, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McKeen, Mead, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Radcliff, Rickard, Sanford, Eugene Sullivan, Wardell, Works, and Wright—38.

Mr. Brown moved to refer Assembly Bill No. 393 to a select committee of one, with instructions to amend as follows:

Strike out the comma after the word "improvements" in line 13, of Section 3, and substitute a semicolon therefor, and add the following words: "*provided, this Act shall not apply to any honorably discharged soldier or sailor of the army or navy of the United States.*"

So ordered.

Mr. Brown was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 393—An Act to secure to native born and naturalized citizens of the United States the exclusive right to labor on public works in this State—with instructions to amend, does now report that the instructions of the Assembly have been carried out.

BROWN, Committee.

Report adopted.

Assembly Bill No. 393 ordered to print and reëngrossment.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, February 9, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 9, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Mr. Stewart was granted leave of absence for the day, on motion of Mr. Hoey.

Mr. Crowley was granted leave of absence for the day, on motion of Mr. Hanley.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Huber.

The Journal of Tuesday, February 7, 1899, was read and approved.

PETITION.

Mr. Wade presented the following petition, and asked that it be printed in the Journal.

So ordered.

WHEREAS, The people of the State of California are taxed to provide sufficient funds to meet an annual expenditure in the shape of a State payroll of \$1,800,000, which payroll includes the expenditure of money for the support of what are believed to be useless commissions, such as the Highway Commission at an expense of \$11,800 per annum, which expenditure is regarded by many as money absolutely thrown away, said commission having no power to accomplish anything except to draw salaries and report; \$3,000 for the attorney to the State Board of Health, an expenditure of the people's money absolutely unnecessary; \$2,000 for the keeper of the archives in the office of the Secretary of State, which position is a sinecure and should not command a salary of over \$900; three clerks at \$1,600 each, where one would be ample; three watchmen and four porters, with very little to do, at \$1,080 each, while as competent men could be hired at \$600 per annum, saving to the taxpayers \$3,360 on this item alone; an elevator man at \$900 is another sample of extravagance, and, to cap the climax, a janitor at \$2,000 per annum. It being the opinion of those well informed on the subject that \$10,000 of expense, in the shape of salaries, could be cut off from the office of Secretary of State alone, and the efficiency of the office be in no way impaired. And so in regard to other State offices; and

WHEREAS, Investigations into the transactions of the Harbor Commission at San Francisco have brought to light the fact that the State is being robbed by paying exorbitant salaries, and hiring unnecessary help; and

WHEREAS, The people of the State of California are disposed to be liberal in the expenditure of money raised by taxation for the purpose of education, yet they demand that such expenditure shall be applied in an economical manner; and

WHEREAS, Many a dollar is expended in this great State in the name of education, the annual payroll of officers and teachers of the University of California amounting to \$250,000—the salaries of the professors ranging from \$1,800 to \$4,000, that of the President being \$8,000—while equally good teachers are glad to get half these salaries outside the University; therefore, be it

Resolved by Napa Grange No 307, Patrons of Husbandry, in regular meeting assembled, That we, the members of said Grange, do hereby, on behalf of the farmers of the State of California, most earnestly protest against the further continuance of the extravagance shown to exist in the expenditure of moneys raised by taxation in this State, and we request that the present Legislature prepare a new schedule of State salaries, fixing them in proportion to the pay received for similar labor in private business, and in keeping with the cost of living, as we believe that an annual saving of over \$500,000 can be made if the Legislature will hew to the line regardless of "pulls" and "political bosses"; and we further believe that if the members of the present Legislature do not heed this advice they are pretty sure to hear something drop when again they stand before the people asking for their suffrages

Resolved, That a copy of these resolutions, duly signed by the Secretary of this Grange, and attested by the Master thereof, be forwarded to our representative in the Assembly of the Legislature, Assemblyman Wade, and that he be requested to read the same to the House, and use his utmost endeavors to have the same carried into effect.

MRS. OLIVE E. BORRETTE,
Secretary of Napa Grange, No. 307, P. of H

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872; and to repeal an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 9, 1887; and to repeal an Act entitled "An Act to amend Sections 1, 6, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889—report the same back with an amendment, and recommend its passage as amended. [This was a compromise between the friends and opponents of the bill, and it was also agreed between them that no request for any fifty-five-cent tax should be made by the Commissioners this year.]

Also: Assembly Bill No. 102—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages—the majority report the same back, and recommend its passage, the minority recommend that it do not pass.

Also: Assembly Bill No. 565—An Act to amend Sections 702 and 703 of an Act entitled "An Act to establish a Code of Civil Procedure," by which amendment the time of redemption of real estate from sale under execution is changed from twelve months to six months

Also: Senate Bill No. 12—An Act to prevent the maintenance against the State or any officer thereof by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county, or any officer thereof, for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Senate Bill No. 32—An Act to amend Section 595 of the Civil Code.

Also: Senate Bill No. 65—An Act to add a new section to the Political Code, to be known as Section 793, relating to notaries public.

Also: Senate Bill No. 161—An Act for the relief of John N. E. Wilson, ex Insurance Commissioner of the State of California, and of James D. Byrnes and Frank C. De Long, the bondsmen of said John N. E. Wilson, ex-Insurance Commissioner, and authorizing the Attorney-General of the State of California to enter satisfaction of judgment for the sum of \$4,063 82, in full settlement of the suit entitled "The People of the State of California upon the complaint of E. P. Colgan, as Controller of the State, plaintiff, vs. John N. E. Wilson, Frank C. De Long, and James D. Byrnes, defendants"

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 162—An Act for the relief of John N. E. Wilson, ex-Insurance Commissioner of the State of California, and of James D. Byrnes and Frank C. De Long, the bondsmen of said John N. E. Wilson, ex-Insurance Commissioner, and authorizing the Attorney-General of the State of California to enter satisfaction of judgment for the sum of \$4,063 82, in full settlement of the suit entitled "The People of the State of California, upon the complaint of E. P. Colgan, as Controller of said State, plaintiff, vs. John N. E. Wilson, Frank C. De Long, and James D. Byrnes, defendants"—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Bill No. 596—An Act to amend Section 3640 of the Political Code of California, relating to Assessors' field enrollment book—report the same back, and recommend that it do not pass.

JOHNSON, Chairman.

Assembly Bills Nos. 611, 102, 565, and 596 ordered on second-reading file.

Senate Bills Nos. 12, 32, 65, and 151 ordered on Senate special file.

Assembly Bill No. 162 withdrawn by author.

ON LABOR AND CAPITAL, AND STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Joint Committees on Labor and Capital, and State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions—have had the same under consideration, and respectfully report the same back, and recommend that the substitute do pass.

MUENTER, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Judiciary: Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for State and county roads only, and articles consumed in the State institutions."

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WADE, Chairman.

Assembly Bill No. 423 ordered on second-reading file.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 557—An Act to amend Section 1186 of the Political Code of the State of California, defining political conventions.

Also: Assembly Bill No. 559—An Act in relation to municipal elections where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect Boards of Freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled an Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution, approved March 31, 1897.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BELSHAW, Chairman.

Assembly Bills Nos. 557 and 559 ordered on special file for second reading.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following regu-

lation for the Postoffice: The Postoffice shall be kept open from nine o'clock A. M. until five o'clock P. M., and from seven o'clock P. M. until ten o'clock P. M., daily, except on Sundays; on Sundays, from one o'clock P. M. until two o'clock P. M. The mail-carrier is directed to obtain the evening mail, and the same must be distributed each evening, Sundays excepted, and your committee recommend that it be adopted.

DIBBLE, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Rule LXVII of the Assembly: That the following bills be considered at a meeting of the Assembly to be held on Monday evening, February 13, 1899, at the hour of eight o'clock; that no other business be transacted pending the consideration of such bills, except by unanimous consent. Any of such bills which may not be acted upon at said session shall be carried on the file under the heading of "unfnished business" on the special urgency file, and shall be placed at the head of the next special urgency file:

Assembly Bill No. 562 (Substitute for Assembly Bill No. 450)—An Act to amend the Penal Code of the State of California by adding a new section thereto, relating to primary elections, and the punishment of offenses thereat.

Also: Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893

Also: Assembly Bill No. 433—An Act authorizing women to vote at school elections, and defining the qualifications of such voters

Also: Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Also: Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Also: Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively

Also: Assembly Bill No. 141—An Act providing for the use of separate ballot-boxes for each political party at primary elections

Also: Assembly Bill No. 143—An Act to amend Section 1186 of the Political Code, relating to conventions.

Also: Assembly Bill No. 648 (Substitute for Assembly Bill No. 144)—An Act adding two new sections to the Political Code of this State, to be numbered 1118 and 1119, concerning elections, and providing for registration for primary elections.

Also: Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Also: Assembly Bill No. 451—An Act providing for the organization and reorganization of political parties and committees in certain cases of disorganization.

Also: Assembly Bill No. 636—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization and reorganization of committees to represent political parties.

Also: Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

Also: Assembly Bill No. 348—An Act to amend Sections 1 and 2 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Also: Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Also: Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor

Also: Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, and for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the General Street Laws of this State

Also: Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor

Also: Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

Also: Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioners of Public Works for the forty-eighth fiscal year.

Also: Assembly Bill No. 479—An Act to amend an Act entitled "An Act to establish

a Political Code," approved March 12, 1872, by amending Sections 1204, 1211, and 1260 thereof, relating to elections.

Also: Assembly Bill No. 142—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Also: Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act, approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita

Also: Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office, and vault connected therewith, and making an appropriation therefor.

Also: Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filter, and lay pipes in the Capitol grounds.

DIBBLE, Chairman.

Mr. Dibble moved that the report be printed in the Journal, and lay over until to-morrow.

So ordered.

ON PUBLIC MORALS—MAJORITY REPORT

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing or sparring matches, and prize or ring fights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

J. W. MILLER, Chairman

Assembly Bill No. 588 ordered on second-reading file.

ON PUBLIC MORALS—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 588—have had the same under consideration, and beg leave to report the same back, and recommend the same do not pass.

ATHERTON

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 330—An Act amending Sections 12 and 13 of an Act entitled "An Act to establish a uniform system of county and township governments, approved April 1, 1897, relating to the levy of taxes and the issuance of bonds by the Boards of Supervisors of counties—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn by author, and the substitute herewith presented do pass.

Also: Assembly Bill No. 331—An Act to amend Section 2653 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MELICK, Chairman

Senate Bill No. 11 referred to Committee on Ways and Means.
Assembly Bills Nos. 330 and 331 ordered on second-reading file.

INTRODUCTION OF BILL.—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 692 (Substitute for Assembly Bill No. 330)—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, relating to the general permanent powers of Boards of Supervisors.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 558—An Act making an appropriation to pay for concrete floor in basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Also: Assembly Bill No. 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Also: Senate Concurrent Resolution No. 5—Relative to the private office for Lieutenant-Governor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

RAUB, Acting Chairman.

Senate Concurrent Resolution No. 5 ordered on Senate special file.

Assembly Bills Nos. 488, 501, and 558 referred to Committee on Ways and Means.

ON JUDICIARY—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: The minority of your Judiciary Committee having had under consideration Assembly Bill No. 102—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages—dissent from the recommendation of the majority, and recommend that the bill do not pass.

JOHNSON.
COSPER.
BOONE.
CONREY.
O'BRIEN.
HANLEY.
E. D. SULLIVAN.
CLOUGH.
VALENTINE.
DIBBLE.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 133—An Act concerning registration for primary elections.

Also: Senate Bill No. 83—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Also: Senate Bill No. 95—An Act to amend Section 1186 of the Political Code, relating to conventions.

Also: Senate Bill No. 379—An Act to promote the purity of primary elections, and to punish offenses thereat.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 133—An Act concerning registration for primary elections.

Read first time; and referred to Committee on Election Laws.

Senate Bill No. 83—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Read first time, and referred to Committee on Election Laws.

Senate Bill No. 95—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read first time, and referred to Committee on Election Laws.

Senate Bill No. 379—An Act to promote the purity of primary elections, and to punish offenses thereat.

Read first time, and referred to Committee on Election Laws.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in saw mills, shingle-mills, shakemills, and logging camps.

Also: Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Also: Senate Bill No. 94—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested

Also: Senate Bill No. 30—An Act adding fifteen new sections to the Political Code, to be numbered consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 84 ordered to enrollment.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 94—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Read first time, and referred to Committee on Corporations.

Senate Bill No. 30—An Act concerning elections and providing for the election of delegates to nominating conventions of political parties at elections known and designated as primary elections.

Read first time, and referred to Committee on Corporations.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Knights: Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Read first time, and referred to Committee on Claims.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899

MR. SPEAKER: Your Committee on Ways and Means introduces an Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Also: An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture for the fiftieth fiscal year

Also: An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

And respectfully recommend that they do pass.

VALENTINE, Chairman

INTRODUCTION OF BILLS—(RESUMED).

By Committee on Ways and Means: Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs of the Capitol building and furniture for the fiftieth fiscal year.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Read first time, and placed on second-reading file.

Also: Assembly Bill No. 697—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Read first time, and placed on second-reading file.

SPECIAL ORDER.

Assembly Bill No. 687—An Act to revise, amend, and reenact an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Pending the reading of the bill, Mr. Johnson moved that the further reading be discontinued and made special order for Friday, February 10, 1899, immediately after the introduction of bills.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Rickard:

Resolved, That the State Printer be and he is hereby instructed to bind all Senate and Assembly bills, and the amendments thereto, in volumes of 200 each, said volumes to be supplied to each member of this Assembly for his use.

Mr. Mead moved to refer the resolution to Committee on Public Printing.

Motion and resolution lost.

By Mr. Cosper:

Resolved, That in the matter of the investigation of the methods employed in the election of a United States Senator, the Controller be and he is hereby authorized and directed to draw his warrant in favor of E. M. Richardson for the sum of \$711 30, the same being for reporting and transcribing the proceedings in the above entitled investigation, and which items have been audited by the special committee and allowed; and the State Treasurer is hereby directed to pay the same out of the appropriation for the Contingent Fund of the Assembly.

Mr. Hanley moved that the resolution be printed in the Journal and lay over one day.

Motion lost.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Valentine, Wardell, White, Works, and Mr. Speaker—66.

NOES—Messrs. Brown and Feliz—2.

By Mr. Rickard:

Resolved, That the Controller of State is hereby instructed to draw his warrant, and the State Treasurer is hereby directed to pay the same, in favor of Herman de Laguna, for the sum of \$5, to be paid out of the Contingent Fund of the Assembly, the said amount being to reimburse the said payee for the rental of one typewriter, as per the bill attached.

Resolution adopted.

INTRODUCTION OF BILLS—(RESUMED).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Miller of Los Angeles: Assembly Bill No. 698—An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 4506, 4507, 4508, 4509, 4510, 4511, 4512, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538, 4539, 4540, 4541, and 4542, all relating to the establishing of a Board of State Harbor Commissioners for the Port of Wilmington and Bay of San Pedro.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. Blood: Assembly Bill No. 699—An Act making an appropriation to pay the claim of John J. Snyder for costs of suit in foreclosing delinquent purchases of State school land.

Read first time, and referred to Committee on Ways and Means.

By Mr. Robinson: Assembly Bill No. 700—An Act to amend Section 1775 of the Political Code, empowering County Boards of Education to grant teachers' certificates without examination.

Read first time, and referred to Committee on Education.

By Mr. Cowan: Assembly Bill No. 701—An Act to provide for the place of holding office by State officers.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 702—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the districts and property owners therein.

Read first time, and referred to Committee on Judiciary.

By Mr. Cobb (by request): Assembly Bill No. 703—An Act to add a new section to an Act entitled "An Act to provide for work upon streets, lanes, courts, alleys, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, to be known as Section 54 of said Act, validating certain assessments and permitting suits to be brought upon the same.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Mead: Assembly Bill No. 704—An Act to require certain county officers to perform the duties of certain city officers when the city so elects.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Raub (by request): Assembly Bill No. 705—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, relating in the amendment to the compensation of officers of the county of the thirty-seventh class.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Johnson: Assembly Bill No. 706—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cowan: Assembly Bill No. 707—An Act to amend Section 266 of the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Barry: Assembly Bill No. 708—An Act authorizing and empowering the Board of State Capitol Commissioners to appoint six additional laborers for the Capitol grounds, in addition to the number now allowed by law, and fixing the compensation of such additional employes.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. McDonald of Tuolumne: Assembly Bill No. 709—An Act to appropriate the sum of \$50,000 for the construction of a free wagon road from the town of Merced Falls, in Merced County, to the Yosemite Valley, and to repeal and to take the place of an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley," approved March, etc.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Hanley: Assembly Bill No. 710—An Act to amend Section 94 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Barry: Assembly Bill No. 711—An Act making an appropriation to pay for providing additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

THIRD-READING FILE.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Passed on file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags, and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Passed on file.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of

the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Passed on file.

MOTION.

Mr. Caminetti moved that the rules be suspended, and that the Assembly do now take up second-reading file.

So ordered.

At eleven o'clock and fifteen minutes A. M., the Speaker called Mr. Belshaw to the chair.

SECOND-READING FILE.

Assembly Bill No. 313—An Act to amend Section 61 of the Civil Code, relating to marriage and divorce.

Read second time.

Mr. Feliz moved to amend by striking out lines 8, 9, and 10 of said bill.

Pending consideration of the amendment, Mr. Dibble moved that the matter be indefinitely postponed.

So ordered.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Passed on file.

INTRODUCTION OF JOINT RESOLUTION.

Mr. Crowder moved that the rules be suspended for the introduction of bills.

So ordered.

By Mr. Crowder: Assembly Joint Resolution No. 19—Relative to irrigation of the Colorado Desert and lands adjacent and contiguous thereto, and other lands.

Referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 143 and 291, and Assembly Joint Resolution No 17

Assembly Bill No. 143—An Act to amend Section 1186 of the Political Code, relating to conventions.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Assembly Joint Resolution No. 17—Relative to restriction of Japanese laborers, etc
Also: That the following bills have been correctly reengrossed: Assembly Bills Nos. 4 and 151.

Re-engrossed: Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Reengrossed: Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease

RICKARD, Chairman.

Assembly Bills Nos. 143 and 291 ordered on second-reading file.

Assembly Joint Resolution No. 17 ordered on third-reading file.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 230—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647 of the Civil Code, and to repeal Sections 648 and 648½ of the Civil Code, relating to mutual building and loan associations.

Assembly Bill No. 230 withdrawn by author.

Assembly Bill No. 660 (Substitute for Assembly Bill No. 230)—An Act to amend Sections 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations, and other similar corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Mr. Johnson moved that Assembly Bill No. 206 be recalled from the Committee on Corporations, and placed on second-reading file.

So ordered.

Mr. Muenther moved that Assembly Bill No. 206 be made a special order for this day immediately after the consideration of Senate file.

So ordered.

Assembly Bill No. 165 withdrawn by author.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Passed on file.

Assembly Bill No. 222—An Act to amend Section 3010 of the Political Code of the State of California, relating to salaries of officers and employes of the Board of Health.

Mr. E. D. Sullivan moved that Assembly Bill No. 222 be referred to Committee on Judiciary, with instructions to report to-morrow, bill to retain its place on file.

So ordered.

Mr. Dunlap moved that Assembly Bills Nos. 624 and 625 be recalled from Committee on Ways and Means, and re-referred to Committee on State Hospitals and Asylums.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 449—have had the same under consideration, and report the same back to the House, with recommendation that it do pass as amended, and that the bill be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 441—and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 643—and report the same back, and recommend that it do pass.

Also: Assembly Bill No. 575—and report the same back to the House, without recommendation.

RAW, Chairman

Assembly Bills Nos. 449, 441, 643, and 575 ordered on second-reading file.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 9, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Rowell, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—34.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentert, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—75.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, February 8, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, February 8, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, and Taylor—3.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, and Wolfe—6.
For U. S. Grant, Jr.—Senators Doyce, Jones, Maggard, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Keeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, and Sims—9.
For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators	33
W. H. L. Barnes received	4 votes.
R. N. Bulla received	3 votes.
D. M. Burns received	6 votes.
U. S. Grant, Jr., received	6 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	9 votes.
William T. Jeter received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Lardner, and Muentert—6.
For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Bree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lencie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hocy, Mack, Mead, Meserve, Sanford, E. D. Sullivan, Wardell, and White—16.

For Marion De Vries—Mr. Brooke—1.

For James D. Phelan—Mr. Burnett—1.

For Patrick Reddy—Mr. O'Brien—1.

Whole number of votes cast by Assemblymen.....	74
W. H. L. Barnes received.....	6 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	17 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Irving M. Scott received.....	1 vote.
Stephen M. White received.....	16 votes.
Marion De Vries received.....	1 vote.
James D. Phelan received.....	1 vote.
Patrick Reddy received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	107
Necessary to a choice.....	54
W. H. L. Barnes received.....	10 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	12 votes.
D. M. Burns received.....	23 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	26 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	25 votes.
William T. Jeter received.....	1 vote.
James D. Phelan received.....	1 vote.
Patrick Reddy received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Assemblyman Dibble moved to adjourn.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Friday, February 10, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty minutes P. M., the Assembly took a recess until two o'clock P. M., on motion of Mr. Belshaw.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

LEAVE OF ABSENCE.

Mr. Chynoweth was granted leave of absence for three days.

SENATE SPECIAL FILE.

Senate Bill No. 37—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchasers of State school lands.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brooke, Burnett, Cobb, Conrey, Cosper, Crowder, Dale, Dibble, Fairweather, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Knights, La Bree, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, Wade, Wardell, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

SUSPENSION OF RULES.

Mr. Valentine moved that the rules be suspended and that the Assembly do now take up for consideration Assembly Bill No. 670.

So ordered.

Assembly Bill No. 670—An Act making an appropriation for the support of the State Printing Office.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 670.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 670 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Anderson in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly

Bill No. 670—An Act making an appropriation for the support of the State Printing Office—and do now report back to the House, and recommend that the bill do pass.

ANDERSON, Chairman

Assembly Bill No. 670 ordered to engrossment and third reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "four," in line 5, Section 1, of printed bill, and inserting in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 2.

Insert after the words "El Dorado," in line 12, page 1 of Section 1, printed bill, the word "Shasta."

Amendment adopted.

Bill ordered to printer, engrossment, and third reading.

MOTION.

Mr. Melick moved that the Assembly do now consider Senate messages.

So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 9, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 7—Relative to dispatch to our soldiers in Manila.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary

SENATE CONCURRENT RESOLUTION No 7.

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all the members elected to each house voting for and concurring herein), That the Secretary of the Senate send immediately by telegraph to the California troops at Manila the following words: "Well done, California."

Resolution read and adopted.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Passed on file.

Mr. Johnson moved to reconsider the vote whereby Senate Bill No. 56 was ordered to engrossment and third reading.

So ordered.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges and officers connected with the Supreme Court.

Mr. Jilson moved to amend as follows:

Insert after the word "Yolo" the word "Siskiyou," in line 10 of Section 1, page 1 of printed bill.

Amendment adopted.

Senate Bill No. 56 ordered to print, engrossment, and third reading.

Mr. Dibble moved that the rules be suspended and that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Passed on file.

Assembly Bill No. 223—An Act to amend Section 3009 of the Political Code of the State of California, relating to the appointment of certain officers and employes of the Board of Health.

Mr. Johnson moved that Assembly Bill No. 223 be referred to Committee on Judiciary.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Mr. Crowder moved that Assembly Bill No. 206 be referred to Committee on Banks and Banking.

Motion lost.

Mr. Le Baron moved to amend as follows:

Strike out of Section 2, lines 24 and 25, the words "at twelve o'clock meridian."

Amendment lost.

Mr. Johnson moved to amend Assembly Bill No. 206 as follows:

Strike out the words "*provided*, that the statement of an association or corporation shall be further verified by a majority of the Board of Directors of such banking association or corporation as to the correctness of the statement made by the principal officers, and as to the value of the assets therein set forth," where they occur in lines 18, 19, 20, 21, 22, and 23, page 3 of Section 2, of the printed bill.

Amendment lost.

Assembly Bill No. 206 ordered to print, engrossment, and third reading.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 503—An Act providing for the location of sites for reservoirs to store flood waters, near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of construct-

ing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Passed on file.

Assembly Bill No. 458—An Act to amend the Penal Code by adding a new section thereto, to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 60—Chapter —, an Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Read second time, passed on file.

Assembly Bill No. 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract of land upon which the same was assessed) upon subsequent assessments.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 147—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbor-master of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 159.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 159 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 159 ordered to engrossment and third reading.

At three o'clock P. M., the Speaker called Mr. Dibble to the chair.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into a

Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 67.

So ordered

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 67 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California—and do now report progress, and ask leave to sit again.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 275—An Act to improve the public service of the State of California.

Read second time.

Mr. Johnson moved to amend as follows:

Amend by striking out the word "solely," where it occurs in lines of Section 1 of page 1 of printed bill.

Amendment adopted.

Mr. Valentine moved to amend as follows:

Strike out all of line 7 after the word "thereof," and all of line 8 and line 9 to and including the word "hours."

Amendment adopted.

Mr. Melick moved to amend as follows:

Amend by striking out of Section 1, lines 3 and 4, the words "may be," and inserting the word "was."

Amendment lost.

Mr. Mead moved to amend as follows:

Amend by adding to Section 1 the following: "after a court of competent jurisdiction shall have decided that there is good cause for removal."

Amendment adopted.

Mr. O'Brien moved to amend as follows:

Amend by striking out the word "persistently," in line 4 of Section 1, page 1, printed bill.

Amendment lost.

Assembly Bill No. 275 ordered to engrossment and third reading.

Assembly Bill No. 150—An Act to amend Section 1 of an Act of the Legislature of the State of California entitled "An Act relating to estrays, and repealing all other Acts and parts of Acts now in force, relating to estrays," approved March 27, 1897.

Passed on file.

Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Mr. Knowland moved to amend as follows:

Insert after word "assessment," line 16, page 1, "and the Recorder to cause the erroneous certificate or deed so issued"; insert after word "assessment," line 28, page 2,

"or this State prior to the issuance of the certificate of purchase"; insert after word "office," line 37, page 2, "or Register of the State Land Office"; insert at end of line 39, page 2, "or no certificate of purchase had been issued by the State."

Amendments adopted.

Assembly Bill No. 292 ordered to print, engrossment, and third reading.

Mr. Belshaw moved that the rules be suspended, and report of special committee be considered.

So ordered.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: Your committee appointed to visit Mr. Milton J. Green, with attending physicians, for the purpose of ascertaining his physical condition, beg leave to submit the following report:

We have this day, with Dr. Wm. H. Baldwin, visited Mr. Green, Drs. G. L. Simmons and W. F. Wiard being unavoidably absent. We annex and make a part of this report the statement of Dr. W. H. Baldwin. It is our opinion that Mr. Green has been and is yet quite ill, and we were unable to ascertain when Mr. Green will be able to appear before the bar of the House.

We therefore recommend that the appearance of Mr. Green before the bar of the Assembly be postponed until the attending physician shall notify the Assembly that Mr. Green is able so to do, and that the attending physician be requested to notify the Assembly when that time shall have arrived.

Respectfully,

BELSHAW.
WORKS.
BOONE.

PHYSICIAN'S REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

To the special committee appointed to visit and report on the condition of Milton J. Green

GENTLEMEN: I have thoroughly examined Milton J. Green in your presence, and fully concur with his attending physician, Dr. F. W. Hatch, as to his illness.

It is also my opinion that Milton J. Green is in no condition to leave his room, and will not be for some little time.

Respectfully,

W. H. BALDWIN, M.D.

Mr. Belshaw moved that the report of the special committee be printed in the Journal, and made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 480—An Act to amend Section 397 of the Penal Code, relating to the selling of liquor to habitual or common drunkards, minor children, idiots, insane or incompetent persons, and Indians, and relating to minors being allowed to remain in and about saloons and drinking places.

The following committee amendment was submitted:

Strike out from the word "misdemeanor," in line 12 of Section 1, page 1 of the printed bill, to and including the word "court," in line 17 of Section 1, page 2 of the printed bill.

Amendment adopted.

Assembly Bill No. 480 ordered to engrossment and third reading.

MOTION TO RECONSIDER.

Mr. Sanford moved to reconsider the vote whereby Assembly Bill No. 88 was on yesterday refused final passage.

The Chair ruled that a roll call was necessary.

Mr. Brown appealed from the decision of the Chair.

The ayes and noes were demanded by Messrs. Belshaw, Brown, and Wright.

The question being, "Shall the ruling of the Chair stand as the decision of the House?"

The roll was called, and the House refused to sustain the ruling of the Chair by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Cobb, Henry, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McKeen, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Wade, and Wright—23.

NOES—Messrs. Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Clough, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Devoto, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Mack, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Muentzer, O'Brien, Pierce, Sanford, E. D. Sullivan, Wardell, and Works—38.

The question now recurring on the motion to reconsider.

The same carried.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Mr. Sanford moved that Assembly Bill No. 88 be restored to its former place on third-reading file.

So ordered.

Assembly Bill No. 37—An Act relating to certain contracts, conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read second time.

Assembly Bill No. 37 ordered to engrossment and third reading.

Assembly Bill No. 364—An Act entitled "An Act amending Section 204 of the Code of Civil Procedure of the State of California," concerning the selecting and returning of jurors.

Passed on file.

Assembly Bill No. 462—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions of libel.

Passed on file.

Assembly Bill No. 500—An Act to amend Section 472 of the Political Code of California, relating to Attorney-General.

Read second time.

The following committee amendment was submitted:

Strike out all of Section 2.

Amendment adopted.

Assembly Bill No. 500 ordered to print, engrossment, and third reading.

Assembly Bill No. 493—An Act to repeal Section 3640 of the Political Code of the State of California, relating to field enrollment book of Assessors.

Passed on file.

Assembly Bill No. 267—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 576 (Substitute for Assembly Bill No. 70)—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and disposal of their proceeds," approved March 31, 1891, the amendment of said section relating to the issuance of bonds.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 225—An Act to prevent the spread of glanders, farcy, anthrax, splenic or Texas fever, or any contagious or infectious diseases peculiar to domestic animals.

Assembly Bill No. 225 withdrawn by author.

Assembly Bill No. 276—An Act entitled "An Act defining the word inebriety"; providing for the licensing of private inebriate hospitals, for the commitment of inebriates to such hospitals, and for other purposes."

Assembly Bill No. 276 withdrawn by author.

Mr. Fairweather moved that the rules be suspended, and that the Assembly do now take up Assembly Bill No. 538.

So ordered.

Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation, to coöperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

Read second time.

Mr. Fairweather moved to amend as follows:

Amend by inserting the following words: "one of," after the word "provided," on page 2, line 9, and also adding the letter "s" to the word "survey," on same line, so that it would read: "one of the first surveys shall be," etc

Amendment adopted.

Assembly Bill No. 538 ordered to engrossment and third reading.

Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

Read second time, ordered to engrossment and third reading, and on special file.

Assembly Bill No. 342—An Act to provide for an investigation by

the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Read second time.

Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School buildings at San José, California.

Read second time.

Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch.

Read second time.

Assembly Bill No. 34—An Act for the relief of W. C. Guirey.

Read second time.

Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bills Nos. 309, 31, 240, 34, and 581.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 309, 31, 240, 34, and 581 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Also: Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School buildings at San José, California.

Also: Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch.

Also: Assembly Bill No. 34—An Act for the relief of W. C. Guirey.

Also: Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

And do now report that the instructions of the House have been carried out, and recommend that they do pass, except amended Assembly Bill No. 31, and recommend the passage of that bill as amended.

Also: Amended Assembly Bill No. 581, and recommend the passage of that bill as amended

DIBBLE, Chairman.

Report adopted.

Assembly Bills Nos. 31 and 240 ordered to engrossment and third reading.

Assembly Bill No. 34—An Act for the relief of W. C. Guirey.

The following committee amendments were offered:

Amend the bill by inserting a title to said bill, to read as follows: "An Act for the relief of William C. Guirey, and to appropriate money therefor."

Amendment adopted.

Also: Insert the enacting clause, as follows: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

Amendment adopted.

Also: Add to Section 2 the following: "The direction herein is hereby exempted from the operation of the provisions of Section 672 of the Political Code."

Amendment adopted.

Assembly Bill No. 34 ordered to print, engrossment, and third reading.

Assembly Bill No. 581—An Act to provide payment of costs of suit in foreclosing delinquent purchasers of State school lands, and make appropriations therefor.

The following committee amendments were offered:

Amend by striking out of Section 1, line 14, the words "F. P. Otis, one hundred and twenty-seven and thirty-eight one hundredths dollars"; also, line 23, Section 1, and inserting the following: "F. F. Aster."

Amendment adopted.

Assembly Bill No. 581 ordered to print, engrossment, and third reading.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all of Section 3, and renumbering Section 4 to read "Section 3."

Amendment adopted.

Assembly Bill No. 309 ordered to print, engrossment, and third reading.

At four o'clock and ten minutes P. M., the Speaker resumed the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Valentine:

Resolved, That a sub-committee of the Committee on Ways and Means, to consist of three, be and they are hereby granted indefinite leave of absence, beginning February 10, 1899, for the purpose of visiting the State institutions in Southern California

Resolution adopted.

ADJOURNMENT.

At four o'clock and ten minutes P. M., on motion of Mr. Wright, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, February 10, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 10, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77

Quorum present.

LEAVE OF ABSENCE.

Mr. Kelley was granted leave of absence for one day, on motion of Mr. Bliss.

Mr. Cargill was granted leave of absence until twelve o'clock M. to-day, on motion of Mr. Merrill.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wright.

The Journal of Wednesday, February 8, 1899, was read and approved.

Mr. Rickard moved that the vote whereby the Journal of Monday, February 6, 1899, was approved, be reconsidered.

So ordered.

Mr. Rickard moved to correct the Journal of Monday, January 6, 1899, by striking out all on page 13, and inserting the following in lieu thereof. (See sample of blanket ballot.)

So ordered.

The Journal of Monday, February 6, 1899, was approved, as corrected.

PETITIONS.

Presented by Mr. Atherton, relative to the confining of poolselling to the race-track establishments, etc.—signed by one hundred and fourteen residents of the town of Sausalito, in Marin County.

Also, one by Mr. Burnett, relative to a Sunday law, signed by fourteen residents of San Luis Obispo, San Luis Obispo County.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Judiciary have had under consideration Assembly Constitutional Amendment No. 2—Relative to adding a new section, to be known and designated as Section 10 of Article IX thereof, confirming the funding of the Leland Stanford Jr University, delegating certain powers to the Trustees thereof, and exempting certain of its property from taxation.

Also: Assembly Constitutional Amendment No. 7—Relative to exempting certain school property from taxation.

Also: Assembly Constitutional Amendment No. 14—Amending the Constitution by adding a new section to Article IX, relative to exempting certain property from taxation. Report the same back without recommendation.

Also: Assembly Bill No. 130—An Act to amend Sections 650, 651, 653, 658, 659, 660, 661, 662, 939, 940, 950, 951, 953, and 963 of the Code of Civil Procedure, relating to appeals, and the practice thereto; and to repeal Section 952 thereto, relating to the same subject—report the same back, with three amendments, and recommend its passage as amended.

Also: Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure—report the same back, and recommend its passage.

Also: Assembly Bill No. 222—An Act to amend Section 3016 of the Political Code of the State of California, relating to salaries of officers and employes of the Board of Health.

Also: Assembly Bill No. 223—An Act to amend Section 3009 of the Political Code of the State of California, relating to the appointment of certain officers and employes of the Board of Health.

Report said Bills Nos. 222 and 223 back, and advise and state that the same are unconstitutional, and recommend that the author have leave to present a substitute abolishing the office of quarantine officer, and that said Bills Nos. 222 and 223 retain their place on the file, and that said substitute, when introduced, take the place of said Bills Nos. 222 and 223 on said file.

Also: Assembly Bill No. 133—An Act to amend Section 1918 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the legal rate of interest to be charged in the State of California, and providing a penalty for the charging of an illegal rate—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Bill No. 269—An Act to amend Section 2 of an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895.

Also: Assembly Bill No. 372—An Act to amend an Act relating to commitment to the State School at Whittier and to the Preston School of Industry, fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed.

Report said Assembly Bills Nos. 269 and 372 back, with a substitute, and recommend the adoption of the substitute for both bills, and the passage of the substitute.

JOHNSON, Chairman.

Assembly Constitutional Amendments Nos. 2, 7, and 14 ordered on special file.

Senate Bill No. 66 ordered on second-reading file.

Assembly Bills Nos. 130, 222, 223, 133, 269, and 372 ordered on second-reading file.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 18—An Act regulating and encouraging mining in the State of California, and making a general State law not in conflict with the Federal mining laws.

Also: Assembly Bill No. 173—An Act to amend an Act entitled "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897.

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn by authors, and substitute do pass.

Also: Assembly Bill No. 153—An Act fixing and defining a miner's inch of water—

have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

ROBINSON, Chairman.

Assembly Bill Nos. 18, 173, and 153 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Mines and Mining: Assembly Bill No. 712 (Substitute for Assembly Bills Nos. 18 and 173)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 35—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment, and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the Board or employes a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor, and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment therefor of a fine of not less than \$100, and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days, and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, thoroughfare, faster than a walk, and providing a punishment of a fine of not more than \$24, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided, and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger or other employe of the Board a statement of the quantity of merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both, and making it a misdemeanor for any such person to discharge, or to allow to be discharged from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the Board when required—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNOWLAND, Chairman.

Assembly Bill No. 35 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects.

Also: Assembly Bill No. 361—An Act to add a new section to the Penal Code, to be numbered 180, relating to bringing into any State Prison, State Reformatory, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons, or explosives of any kind, and providing a penalty therefor.

Also: Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An

Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Also: Assembly Bill No. 68—An Act to amend Section 1755 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to power of Judge to insert conditions in order appointing guardian.

And were presented to the Governor February 9, 1899, at three o'clock and fifty-five minutes p. m.

RICKARD, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 220—An Act to repeal Section 8 of an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences, or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876, and to make the provisions of said Act to apply to all the counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUBER, Chairman.

Assembly Bill No. 220 ordered on second-reading file.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes, for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase live stock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Also: Assembly Bill No. 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk and suitable fences along California and Park Streets in the City of Stockton, around the lands occupied by the State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, being first referred to Committee on Ways and Means

WADE, Chairman

Assembly Bills No. 624 and 625 were re-referred to Committee on Ways and Means.

SENATE MESSAGE.

The following message from the Senate was received and read:

SENATE CHAMBER, SACRAMENTO, February 9, 1899

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 109—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd by the State Board of Examiners, and to appropriate money therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Arnerich: Assembly Bill No. 713—An Act for the protection and propagation of pheasants.

Read first time, and referred to Committee on Fish and Game.

By Mr. E. D. Sullivan: Assembly Bill No. 714—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelsey: Assembly Bill No. 715—An Act to amend Sections 307 and 312 of an Act entitled "An Act to establish a Civil Code," approved

March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violations of the provisions thereof.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 716—An Act to amend Sections 332 and 342 of the Civil Code, relative to assessments and the sale of the stock of corporations.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 717—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatever.

Read first time, and referred to Committee on Corporations.

By Mr. Johnson: Assembly Bill No. 718—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions for libel and slander.

Read first time, and referred to Committee on Judiciary.

By Mr. Merritt: Assembly Bill No. 719—An Act to amend an Act entitled "An Act to prevent the sale of short-weight rolls of butter," approved March 11, 1893.

Read first time, and referred to Committee on Dairies and Dairy Products.

By Mr. Eugene Sullivan: Assembly Bill No. 720—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rates of interest.

Read first time, and referred to Committee on Judiciary.

By Mr. Fairweather: Assembly Bill No. 721—An Act to amend an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California."

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 722—An Act to add to Article IV, Chapter I of Title VIII of Part III of the Political Code, a new section, relating to the confirmation of patents for State lands prematurely issued, to be designated as Section 3524 of the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 723—An Act to prohibit trespassing on locomotives, engines, freight or passenger cars, or trains, and to provide a punishment therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Pierce: Assembly Bill No. 724—An Act to amend Section 2587 of the Civil Code of the State of California, relative to the contents of an insurance policy.

Read first time, and referred to Committee on Corporations.

By Mr. McKeen: Assembly Bill No. 725—An Act to amend Sections 1726 and 1732 of the Code of Civil Procedure of the State of California, relating to the duties of Public Administrator.

Read first time, and referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake, to Lake Tahoe, a State highway.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Mead: Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the

Constitution of the State, to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII of the Constitution.

Read, and referred to Committee on Judiciary.

By Mr. Jilson: Assembly Constitutional Amendment No. 20—Proposing to the people of the State of California an amendment to Section 3 of Article IV of the Constitution of the State, relating to the election and term of office of members of the Assembly.

Read, and referred to Committee on Judiciary.

The following Assembly joint resolution was offered by Mr. Merritt:

ASSEMBLY JOINT RESOLUTION No. 20.

Relative to an inquiry into the alleged servitude in Siberia of Ira Whitney and companions

WHEREAS, Ira Whitney, a native of California and a subject of the United States, in April, 1896, while engaged in hunting in Pacific waters, along the Asiatic coast, was lost and believed to have perished; and

WHEREAS, It is reported that he and his companions are now in servitude in Siberia; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Hon. Henry T. Gage, Governor of the State of California, be requested to correspond with the Secretary of State of the United States, and that our Senators in Congress be requested to use their best endeavors with the Secretary of State, all to the end that the active agency of our Government and of the diplomatic and consular service thereof may be enlisted in ascertaining the truth with reference to said report, and in securing the release and return to their own country of the said Ira Whitney and his companions, if they yet survive.

Read, and referred to Committee on Federal Relations.

SPECIAL ORDER.

Assembly Bill No. 687—An Act to revise, amend, and reenact an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and ordered on file for second reading.

RESOLUTIONS.

By Mr. Melick:

Resolved, That whenever members of this Assembly, or its attachés, are given leave to travel to any part of the State to inspect public buildings, or to attend to other public business, then the allowances to be paid shall be limited to the actual itemized expenses incurred; *provided,* the total of such actual expenses shall not exceed an amount equal to a mileage of 10 cents per mile.

Resolution lost.

By Mr. Atherton.

Resolved, That leave of absence be granted to the members and clerk of the Committee on State Prisons and Reformatory Institutions for Monday, February 13, 1899, until twelve o'clock M., for the purpose of visiting the Preston School of Industry at Lone.

Resolution adopted.

LEAVE OF ABSENCE.

Mr. Miller of San Francisco was granted leave of absence for the day, on motion of Mr. Cobb.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 414—An Act entitled "An Act to amend Section 3009 of the Political Code," relating to the appointment of officers and employes by the San Francisco Board of Health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 419—An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies.

Also: Assembly Bill No. 511—An Act to amend Sections 2, 10, and 11 of an Act entitled "An Act to regulate the practice of medicine in the State of California," approved April 3, 1876, as amended April 1, 1878

Also: Assembly Bill No. 635—An Act to regulate the practice of osteopathy in the State of California, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CARGILL, Chairman.

Assembly Bills Nos. 414, 419, 511, and 635 ordered on second-reading file.

RESOLUTION.

By Mr. Melick:

Resolved, That the Controller of the State is hereby instructed to draw his warrant, and the State Treasurer is hereby directed to pay the same, in favor of Alfred P. Johnston, for the sum of \$5, to be paid out of the Contingent Fund of the Assembly, the said amount being to reimburse the said payee for the rental of one typewriter, for the use of the Minute Clerk's desk, as per the bill attached

Resolution adopted.

AMENDMENT.

Mr. Dibble moved to amend the report of the Committee on Rules and Regulations, providing a special urgency file for Monday evening, February 13, 1899, by adding to the list of the bills to be considered the following:

Assembly Bill No. 557—An Act to amend Section 1186 of the Political Code of the State of California, defining political conventions.

Also: Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI, of the Constitution, to elect boards of freeholders, or to vote on proposed charters, or upon existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Also: Assembly Bill No. 670—An Act making an appropriation for the support of the State Printing Office

Also: Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

Also: Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Also: Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Also: Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Also: Assembly Bill No. 605—An Act making appropriation to pay deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year

Also: Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc., as allowed, approved, and recommended by the State Board of Examiners.

Also: Assembly Bill No. 616—An Act to provide for the purchase of new carpets, draperies, and furniture for the Senate and Assembly Chambers, and making an appropriation therefor

Amendment adopted.

Mr. Dibble moved that the report, as amended, be adopted.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Boynton, Brown, Caminetti, Chynoweth, Clough, Cobb, Crowley, Dibble, Dunlap, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—52

NOES—None.

Title read and approved.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California, of any article of commerce other than jute bags and broken stones, and materials for State and county roads only, and articles consumed in the State institutions.

Passed on file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone, and materials for county roads only, and articles consumed in the State penal institutions."

Passed on file.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Caminetti, Chynoweth, Clough, Cobb, Crowley, Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—58.

NOES—None

Title read and approved.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBERS, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 133—An Act adding two new sections to the Political Code of the State, to be numbered 1118 and 1119, concerning elections, providing for registration for primary elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 648—No. 11 on the file.

Also: Senate Bill No. 30—An Act adding fifteen new sections to the Political Code, to be numbered consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 647—No. 12 on the file.

Also: Senate Bill No. 83—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be substituted for Assembly Bill No. 142—No. 24 on the file.

Also: Senate Bill No. 379—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 64½, relating to elections, by providing for the punishment of offenses at primary elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 562—No. 3 on file.

BELSHAW, Chairman.

Senate Bill No. 133 substituted for Assembly Bill No. 648 on file (being identical bills).

Senate Bill No. 30 substituted for Assembly Bill No. 647 on file (being identical bills).

Senate Bill No. 379 substituted for Assembly Bill No. 562 on file (being identical bills).

Senate Bill No. 83 substituted for Assembly Bill No. 142 on file (being identical bills).

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 320—An Act to amend an Act entitled “An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening, and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same,” approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Read third time.

Mr. Mead moved that a select committee of one be appointed to amend Assembly Bill No. 104 as follows:

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following:

“SECTION 1. Every franchise or privilege to erect or lay telegraph or telephone wires, to construct or operate street railroads upon any public street or thoroughfare, to lay gas or water pipes, to erect poles or string wires for transmitting electric current for light, heat, or power purposes, in, on, over, along, or upon any public street or thoroughfare, or to exercise any other privilege whatsoever, hereafter proposed to be granted by the Board of Supervisors, Board of Trustees or Common Council, or other governing or

legislative body (hereinafter called the governing body), of any incorporated city and county, town or city (hereinafter called the municipality), within the State of California (except franchises for steam railroads, and for telegraph lines operating a telegraph system solely, and for renewals of franchises for piers, chutes and wharves), shall be granted upon the conditions in this Act provided, and not otherwise.

"SEC. 2 The person, firm, or corporation (hereinafter called the applicant) desiring to secure a (or any) particular franchise or privilege, shall first file with the governing body of the municipality where the franchise or privilege sought for is to be exercised, an application to such governing body, requesting that there be advertised for sale by such governing body, in accordance with the provisions of this Act, such franchise or privilege.

"SEC. 3 After the filing of such application by such applicant no further action by such governing body shall be had for thirty days. They shall then, at the expiration of the thirty days, if they decide to grant the application of the applicant, advertise a notice of sale of franchise, which shall state, among other things, as follows: That an application for such franchise or privilege has been made to such governing body, together with a statement that it is proposed to grant the same, that sealed bids or tenders will be received for such franchise or privilege, and that it will be awarded to the highest bidder for cash. The advertisement must state the character of the franchise or privilege proposed to be granted, the term of its continuance, and, if for a street railroad, the route to be traversed; that such sealed bids or tenders therefor will be received up to a certain hour on a day named in such advertisement, and a further statement that bids or tenders will only be received of a single sum of money, or amount stated, in lawful money of the United States. Each bidder must inclose with his sealed bid or tender a certified check for the full amount of his bid, payable to the order of the Mayor or other chief executive official of such municipality; the check or checks of the unsuccessful bidder or bidders to be returned to him or them, and the check of the successful bidder to be paid into the treasury of such municipality when the franchise shall have been awarded to such successful bidder.

"SEC. 4. The notice of sale of franchise must be advertised in one or more daily newspapers published in the municipality, wherein the franchise sought for is to be exercised, for ten successive regular issues of such newspaper or newspapers (or if there be no such daily newspaper published in that municipality, then the advertisement may be inserted in a weekly newspaper published in such municipality, if any such there be, once a week for four successive weeks; or if there be no such weekly newspaper published in said municipality, then it is to be advertised in like manner in some daily or weekly newspaper or newspapers published in the same county in which such municipality is situate or else in a newspaper or newspapers published in an adjoining county), and the full advertisement must be completed not less than ten nor more than thirty days before any further action by the governing body.

"SEC. 5. After the expiration of the time stated in the advertisement up to which sealed bids or tenders will be received, the governing body must meet in open session, and must then and there open and read the bids or tenders. The franchise or privilege must then be awarded to the highest cash bidder; *provided, however*, that the governing body may reject any or all bids; *provided further*, that after the bids have been opened and read, and the highest bid has been ascertained, then any bidder or bidders may increase his or their bid or bids to an amount higher by at least ten per cent than such highest bid; and the governing body shall then and there award the franchise to the highest subsequent bidder, who shall there and then deposit the additional sum so bid by him, or a certified check therefor, with such governing body; *and provided further*, that unless the bidder shall file with his bid or tender a bond to such municipality, with at least two good and sufficient sureties, who shall justify, to be approved by such governing body after the bids are opened and before the franchise is awarded, in a penal amount to be by such governing body prescribed and set forth in the advertisement for bids or tenders, conditioned that such bidder shall well and truly observe, fulfill, and perform each and all of the terms, conditions, and obligations of such franchise, in case the same shall be awarded to such bidder, and that in case of any breach of condition of such bond the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages, and shall be recoverable from the principal and sureties upon such bond, then no award of any such franchise or privilege shall be made upon such bid, although the same may be the highest, but such franchise or privilege may be awarded to the next highest bidder who shall have complied with this proviso; or, in the discretion of such governing body, all bids may be set aside and rejected, and new bids advertised for.

"SEC. 6 Every such franchise hereafter granted shall contain a clause or proviso requiring the grantee thereof to annually pay into the treasury of such municipality, to the credit of any street improvement fund, a stated per cent of the gross annual receipts arising from the use, operation, possession, or enjoyment of such franchise or privilege, as in this section hereinafter provided. No payments shall be paid for the first five years succeeding the date of the granting of the franchise, but thereafter such payments shall be payable annually, and in no case shall the percentage payments be less than three per cent per annum upon such gross receipts; and the franchise to be forfeited upon the failure of the grantee to make the payments stated in such franchise. The governing body may, however, provide as a condition of such franchise that the payments shall begin at any time less than five years after the date of the granting of the franchise if such franchise is a renewal, or substantially a renewal, of a franchise

already in existence. The applicant in his application shall state the percentage he will be willing to pay, and such amount so named may be rejected, or may be revised with the concurrence of such applicant, in the discretion of the governing body, prior to the granting of such franchise or privilege.

"SEC. 7. When the franchise or privilege sought is for a street railroad, the applicant must state in his application the route to be traversed by such proposed railroad. At any time, then, within the thirty days subsequent to the filing of such application, the person or persons owning a majority of the frontage upon the portion or portions of the street or streets or route to be traversed by such railroad, may petition the governing body to grant the application of such applicant; and if such majority of frontage, or the owner or owners thereof, do so petition, then the governing body shall and must advertise such street railroad franchise for sale, and must then grant the same in accordance with the provisions of this Act; *provided, however*, that the governing body shall, at any time prior to advertising the sale of such franchise, have the right to change or amend the route proposed in the application of the applicant, if such changed or amended route shall be petitioned for by the persons owning a majority of frontage of the property affected thereby.

"SEC. 8. Whenever any person, firm, or corporation operating a street railroad within any such municipality, desires to extend its main line or lines, or to build any branch line or branch lines, upon any portion or portions of any public street or streets within such municipality not then already occupied by the track or tracks of any other street railroad system, such person, firm, or corporation may file an application for a franchise covering such new or additional territory; and if the persons owning two thirds majority of the frontage facing upon the portion or portions of the street or streets or route to be traversed by such extended main line or lines or branch line or branch lines, shall petition the governing body to grant the application of the applicant, and such petition shall be filed with such governing body within thirty days after the application of the applicant has been filed, then the governing body may, in its discretion, at once grant directly to such applicant the franchise asked for, without first advertising the same for sale, and without regard to the provisions set forth in Sections 2, 3, 4, and 5 of this Act, but subject, however, to Section 6 hereof. But no franchise or privilege shall be granted under and by virtue of the provisions of this section for any such extension or branch line exceeding two miles in length; and if so granted, then no franchise or privilege for any further extension of such main line or branch line shall be granted under the provisions of this section to the same grantee.

"SEC. 9. If the franchise or privilege sought is for an extension or branch line of any of the line or lines of a street railroad system now in existence, and it is provided that a percentage of the gross receipts shall be annually paid as a condition of such franchise, then the gross receipts of such extension or branch line for which such franchise is granted, shall be deemed to be the full amount of the receipts from passengers getting on the cars on such extension or branch line, without regard to transfers to or from such extension or branch line.

"SEC. 10. Nothing in this Act shall affect the granting by any such governing body of a (or any) special privilege for a private use for a shorter term than two years.

"SEC. 11. No franchise now existing, or which may hereafter be granted, shall be renewed by the governing body of any such municipality within the State of California, nor shall the extension or renewal of the same be advertised or offered for sale by any such governing body until within one year prior to the date of the expiration of the existing franchise, unless the holder of such existing franchise shall, at the time of making application for such an extension or renewal, tender to the governing body of such municipality a surrender of such existing franchise. The resolution of such governing body, declaring its intention to grant such extension or renewal, shall be deemed to be a consent to such surrender, but such surrender shall only take effect upon the final grant or award of such extension or renewal.

"SEC. 12. Upon the application of the Mayor, or of a majority of the governing body, of any such municipality, it shall be the duty of the Attorney-General of the State to sue for a forfeiture of any franchise, either now in existence, or which may hereafter be granted by any such governing body, alleging in such suit non-compliance with the terms of the franchise.

"SEC. 13. Any member of any such governing body of any such municipality within this State, who, by his vote, violates, or attempts to violate, the provisions of this Act, or any of them, shall be guilty of a misdemeanor and of malfeasance in office, and shall be deprived of his office by the decree of a court of competent jurisdiction, after trial and conviction.

"SEC. 14. All Acts and parts of Acts in conflict with this Act, including an Act entitled 'An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises,' approved March 23, 1893, and the Act of March 19, 1897, amendatory thereof, and including an Act entitled 'An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by the legislative or other governing bodies, and repealing conflicting Acts,' approved March 13, 1897, are all hereby repealed.

"SEC. 15. This Act shall take effect immediately."

So ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MEAD, Committee.

Report adopted.

Assembly Bill No. 104 ordered to print and reëngrossment.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Passed on file.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Read third time.

Mr. Dibble moved that Assembly Bill No. 58 be referred to a select committee of one, with instructions to amend as follows:

Amend line 1 of the title by striking out the word "and" after the figures "3546," and inserting after the figures "3547" the word and figures "and 3555."

Also: Strike out lines 1, 2, 3, and 4 of the printed bill, and insert the following:

"SECTION 1. Sections 3546, 3547, and 3555 of the Political Code are hereby amended so as to read as follows:"

Also: Add after line 31 of the printed bill the following:

"3555. Upon the rendition of a judgment foreclosing the interest of the purchaser or of his assigns in the land, and annulling the certificate of purchase, judgment for costs must be entered against the defendant; but if execution thereon is returned not satisfied, the judgment and costs must be paid from the fund into which the principal or interest was paid by the purchaser at the time of the original location."

So ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 58 ordered to print and reëngrossment.

Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Mr. Cobb moved that Assembly Bill No. 151 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out of Section 1, line 6 of the latest printed bill, the words "cemetery or."

Also: Add to Section 3 of the latest printed copy of the bill the following: "But the remains of a person shall not be cremated by compulsion under the provisions of this

section, if he or his family, or any member thereof, or his church or spiritual adviser, objects."

So ordered.

Mr. Cobb was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 23, 1899, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COBB, Committee.

Report adopted.

Assembly Bill No. 151 ordered to print and reengrossment.

ASSEMBLY JOINT RESOLUTION No. 17.

Restricting immigration of Japanese laborers, etc.

Realizing that the constantly increasing influx of Japanese laborers and tradesmen into the United States of America is inimical to the laboring and commercial interests of the citizens of the United States of America, and that the importation of Japanese females for lewd purposes is a menace to the morals of our communities; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress are respectfully requested to use their efforts to procure the enactment of such legislation by Congress as will prohibit and restrict the immigration of Japanese laborers and tradesmen, and Japanese females, to the United States of America; be it further

Resolved, That the Chief Clerk transmit by mail a copy of this resolution to each Senator and Congressman from California.

Read and adopted.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Assembly Bill No. 492 (Substitute for Assembly Bill No. 73)—An Act to reorganize the State Board of Health, and to grant it additional powers.

Passed on file.

Assembly Bill No. 399—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Section 10 thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Brown, Caminetti, Chynoweth, Clough, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Henry, Huber, Jilson, Johnson, Kenneally, Knowland, La Barge, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—54

NOES—None.

Title read and approved.

Assembly Bill No 393—An Act to secure to native born and natural-

ized citizens of the United States the exclusive right to labor on public works in this State.

Passed on file.

Assembly Bill No. 358—An Act to amend Section 407 of the Code of Civil Procedure of the State of California, relating to summons.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Brooke, Brown, Caminetti, Chynoweth, Clough, Cobb, Cosper, Cowan, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kennally, Knowland, Le Baron, Lardner, Mack, Marvin, McKeen, Mead, Melick, Merrill, Merritt, McEerve, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 357—An Act to amend Section 844 of the Code of Civil Procedure of the State of California, relating to summons in the Justices' Courts.

Mr. Johnson moved to substitute Senate Bill No. 66 for Assembly Bill No. 357 on the file.

So ordered.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Read second time.

Mr. Johnson moved to strike out all after the enacting clause and insert the following:

"SECTION 1. Section eight hundred and forty-four of the Code of Civil Procedure is hereby amended to read as follows:

"844. The summons must be directed to the defendant, signed by the Justice, and must contain:

"1. The title of the court, name of the county, city and county, or township in which the action is brought, and the names of the parties thereto;

"2. A direction that the defendant appear and answer before the Justice, at his office, as specified in section eight hundred and forty-five of this Code;

"3. A notice that, unless the defendant so appear and answer, the plaintiff will take judgment for any money or damages demanded in the complaint as arising upon contract, or will apply to the court for the relief demanded in the complaint.

"If the plaintiff appears by attorney, the name of the attorney must be indorsed upon the summons

"SEC. 2. This Act shall take effect immediately."

Amendment adopted.

Senate Bill No. 66 ordered to print, third reading, and to take its place on Senate special file.

Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Beecher, Belshaw, Bliss, Boone, Brooke, Brown, Caminetti, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Henry, Hoey, Huber, Johnson, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

At eleven o'clock and twenty-five minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

Assembly Bill No. 28—An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hoey, Huber, Johnson, Kelsey, Knowland, La Bree, Le Baron, Mack, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milice, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, and Wright—45.

NOES—None.

Title read and approved.

Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Read third time.

Mr. Brown moved that Assembly Bill No. 465 be referred to a select committee of one, with instructions to amend as follows:

Strike out the word "of," after the word "petition" and before the word "probate," on line 29 of page 2, printed bill, and insert in lieu thereof the words "for the."

So ordered.

Mr. Brown was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BROWN, Committee.

Report adopted.

Assembly Bill No. 465 ordered to print and reengrossment.

Assembly Bill No. 352—An Act relating to the disposition of money belonging to deceased inmates of public institutions supported in whole or in part by State aid, and under the control of boards appointed by the Governor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clough, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hoey, Jilson, Johnson, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, and Wright—52.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 670—An Act making an appropriation for the support of the State Printing Office.

RICKARD, Chairman.

Assembly Bill No. 670 ordered on third-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire-escapes on school buildings.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Henry, Hoey, Huber, Jilson, Johnson, Knowland, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, and Wright—49

NOES—None

Title read and approved.

MOTION.

Mr. Valentine moved that the rules be suspended, and that the Assembly do now consider Assembly Bill No. 670.

So ordered.

Assembly Bill No. 670—An Act making an appropriation for the support of the State Printing Office.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, and Wright—56.

NOES—None.

Title read and approved.

MESSAGES FROM THE GOVERNOR.

Mr. Dibble moved that the Assembly do now consider messages from the Governor and messages from the Senate.

So ordered.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 10, 1899 }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 69, with my objections thereto.

This proposed amendment to Section 1772 of the Code of Civil Procedure enlarges too much the powers of a guardian over the property of his ward.

In the history of guardianship in our State experience has shown that much waste and extravagance have occurred, notwithstanding the present restraints which the law imposes.

To remove these restraining provisions by giving to the guardian such extensive control over the property of the ward would be perilous to the estates of minors and insane persons.

It appears to me that the helpless wards should be protected by legislation limiting, rather than increasing, the powers of guardians; and I therefore disapprove the bill.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 10, 1899 }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 160, with my objections thereto.

The sum of \$10,000, required by this bill to be appropriated "for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects," is altogether excessive; and, moreover, I do not perceive any urgent need at the present time for such an expedition.

The purpose of this expedition to all quarters of the earth for undiscovered bugs is not apparent. The special qualities of the parasites and predaceous insects desired are not specified in the bill, so that it is impossible to determine whether they are designed to prey upon the parasites which infest trees, beasts, poultry, or some men.

The appropriation of so much money for so indefinite a purpose should, under no circumstances, be permitted.

Even should such a tour of investigation prove to be necessary (and I personally do not think so) this bill calls for an immediate appropriation of money from the General Fund of the present fiscal year. In my inaugural address I called the attention of your honorable body to the vice of such legislation requiring immediate appropriations, thereby tending to deprive the Government of the money needed to pay accrued demands and its current expenses.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved that the messages be printed in the Journal, and lay over as unfinished business.

So ordered.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 10, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 68 and 361.

HENRY T. GAGE,
Governor of the State of California.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 9, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended and passed Assembly Bill No. 293 (as amended)—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor—and respectfully request your concurrence therein.

Also: Passed Committee Substitute for Senate Bills Nos. 68 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 46—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Also: Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots. Pilot Commissioners, and pilotage.

Also: Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 121 and 2 ordered to enrollment.

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Senate Bill No. 46—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read first time, and ordered on Senate special file.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 10, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunnhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Grullin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, February 9, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, February 9, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1
For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.
For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	7 votes
Thomas R. Bard received.....	2 votes
Irving M. Scott received.....	1 vote
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
William T. Jeter received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Clough, Knights, Knowland, and Lardner—6.
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—17.
For C. N. Felton—Mr Brown—1.
For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lencie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Mihce, Radcliff, Raub, Raw, and Works—19.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, W. D. Sullivan, Wardell, and White—18
For John Rosenfeld—Mr. Crowley—1
For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen.....	75
W. H. L. Barnes received.....	6 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	17 votes
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	19 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	18 votes.
John Rosenfeld received.....	1 vote.
James D. Phelan received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	112
Necessary to a choice	57
W. H. L. Barnes received	10 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	24 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	26 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	28 votes.
William T. Jeter received	1 vote.
James D. Phelan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-four minutes P. M., Assemblyman Radcliff moved to adjourn.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, February 11, 1899.

IN ASSEMBLY.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Anderson in the chair.

MOTION.

Mr. Belshaw moved that Senate Bill No. 30 be placed on the Senate special file, and that Assembly Bill No. 647 be replaced on special file. So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court, and Superior Judges and officers connected with the Supreme Court.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Read third time, and passed on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report

that the following bills have been correctly engrossed: Assembly Bills Nos. 660, 458, 257, 147, 159, 37, 382, 267, 576, 31, and 240

Assembly Bill No. 660—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations, and other similar corporations.

Assembly Bill No. 458—An Act to amend the Penal Code by adding a section thereto, to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution.

Assembly Bill No. 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract of land upon which the same was assessed) upon subsequent assessments.

Assembly Bill No. 147—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbormaster of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Assembly Bill No. 37—An Act relating to certain contracts, conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof

Assembly Bill No. 382—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 170 thereof, relating to the disqualification of Judges of the Superior Court of the State of California to sit or act on the trial or hearing of certain actions or proceedings.

Assembly Bill No. 267—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Assembly Bill No. 576 (Substitute for Assembly Bill No. 76)—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and disposal of their proceeds," approved March 31, 1891, the amendment of said section relating to the issuance of bonds.

Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School buildings at San José, California.

Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch.

RICKARD, Chairman.

Assembly Bills 660, 458, 257, 147, 159, 37, 382, 267, 576, 31, and 240 ordered on third-reading file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Cobb: Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 729—An Act authorizing the appropriation of moneys by the several counties, and cities and counties, and municipal corporations for the purpose of advancing and maintaining their respective interests by exhibit of products and otherwise at the Pacific Ocean and International Exposition.

Read first time, and referred to Committee on Municipal Corporations.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read second time, and ordered to third reading.

Senate Bill No. 12—An Act to prevent the maintenance against the State or any officer thereof by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county or any officer thereof for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Read second time, and ordered to third reading.

Senate Bill No. 32—An Act to amend Section 595 of the Civil Code.

Read second time, and ordered to third reading.

Senate Bill No. 65—An Act to add a new section to the Political Code, to be known as Section 793, relating to notaries public.

Read second time, and ordered to third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAIS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 598—An Act appropriating money to pay the claim of William Henry Murray, State Superintendent of Ramie Culture—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, and that the substitute herewith presented do pass.

VALENTINE, Chairman

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 730—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to the said William Henry Murray from the State of California.

Read first time, and referred to Committee on Claims.

CONSIDERATION OF BILLS, ETC.—(RESUMED).

Senate Bill No. 151—An Act for the relief of John N. E. Wilson, ex-Insurance Commissioner of the State of California, and of James D. Byrnes and Frank C. De Long, the bondsmen of said John N. E. Wilson, ex-Insurance Commissioner, and authorizing the Attorney-General of the State of California to enter satisfaction of judgment for the sum of \$4,063 82, in full settlement of the suit entitled "The People of the State of California, upon the complaint of E. P. Colgan, as Controller of said State, plaintiff, vs. John N. E. Wilson, Frank C. De Long, and James D. Byrnes, defendants."

Read second time, and ordered to third reading.

Assembly Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Passed on file.

SENATE CONCURRENT RESOLUTION NO. 5

Relative to private office for Lieutenant-Governor.

WHEREAS, A room and apartment has heretofore been set apart for the use of the Lieutenant-Governor of this State during the sessions of the Legislature; and

WHEREAS, Said room has been used by other departments of the State during the interim of the sessions of the Legislature; and

WHEREAS, It is proper that the Lieutenant-Governor should have set apart for his use, at any and all times, an office in the State Capitol building; therefore, be it

Resolved by the Senate, the Assembly concurring, That the Secretary of State be and he is hereby requested to set apart for the Lieutenant-Governor a room in the State Capitol

building to be known as the office of the Lieutenant-Governor; said room to be reserved for the exclusive use of the Lieutenant-Governor, and to be under his control at all times.

Read and adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 444—An Act to amend Section 1444 of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of Los Angeles, O'Brien, Radcliff, Raub, Raw, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, White, and Mr Speaker—46.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for money due and owing to the said Claus Spreckels from the State of California

Also: Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz for moneys paid through error by her to the State as interest on certificate of purchase of State school lands from the State of California

Also: Senate Bill No. 82—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln in Golden Gate Park, in the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water, sprinkling, and pumping plant in the Yosemite Valley.

Also: Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's, along the western shore of Lake Tahoe, and making an appropriation therefor

Also: Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin for advertising the constitutional amendments for the year 1896.

Also: Assembly Bill No. 238—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service

Also: Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VALENTINE, Chairman.

Assembly Bills Nos. 594, 65, 561, 630, 417, 94, 238, and 501, and Senate Bill No. 82, ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved

March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties for the collection of taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Brooke, Burnett, Caminetti, Cobb, Cosper, Dale, De Lancia, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Works, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 13—Approving the charter of Santa Barbara.

Passed on file.

ASSEMBLY JOINT RESOLUTION No 7

Relative to irrigation of San Joaquin Valley.

WHEREAS, The right of conservation and appropriation of the waters of the streams of the State for purposes of irrigation, under wise and judicious restrictions, and in such manner as to give an equitable distribution thereof, must be accorded; and

WHEREAS, Every foot of the great San Joaquin Valley, comprising the counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and Kern, with an area of over seven and one half millions of acres, might be irrigated from the waters of the Stanislaus, Tuolumne, Merced, Fresno, San Joaquin, Kings, and Kern rivers; and

WHEREAS, The physical and climatic conditions of this valley render it impossible to till the land successfully and with certainty without an artificial supply of water for irrigation thereof; and

WHEREAS, Much of the valley is too arid for cultivation without irrigation, and with water will produce abundantly of all the staple fruits and cereals, and would be worth vast sums of money, but without water produce nothing with certainty, and is comparatively valueless, and inasmuch as irrigation means population, progress, prosperity and wealth to this valley; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to take such action as shall result in an estimate of the cost of by engineers of the Federal Government, and a proposal of a plan for the extent and circumstances of restraining works to confine and husband the waters of the Stanislaus, Tuolumne, Merced, Fresno, San Joaquin, Kings, and Kern rivers, where a dam or dams on each of the streams can be best located, the amount of water that may be utilized, and a secondary system of main irrigating canals leading therefrom, and tertiary distributing facilities, and such other necessary works as will provide for the sufficient irrigation of the whole valley of the San Joaquin, and to enable the valley to be divided into districts, and the amount of land that may be irrigated in each, and that following such report, an appropriation may be made by Congress to defray the cost of same

Resolved further, That the Chief Clerk transmit by mail a copy of this resolution to each Senator and Congressman from California, at Washington, D. C.

Read and adopted.

Assembly Concurrent Resolution No. 9—Relative to the election of United States Senators.

Passed on file.

ASSEMBLY JOINT RESOLUTION No. 14.

Relative to an inquiry into the alleged servitude in Siberia of Frank Bassford and companions

WHEREAS, Frank Bassford, a native of California and a subject of the United States, in January, 1892, while engaged in otter hunting in Pacific waters along the Asiatic coast, was lost and believed to have perished; and

WHEREAS, It is reported that he and his companions are now in servitude in Siberia; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Hon. Henry T. Gage, Governor of the State of California, be requested to correspond with the Secretary of State of the United States, and that our Senators in Congress be requested to use their best endeavors with the Secretary of State, all to the end that the active agency of our Government and of the diplomatic and consular service thereof may be enlisted in ascertaining the truth with reference to said report, and in securing the release and return to their own country of the said Frank Bassford and his companions, if they yet survive.

Read and adopted.

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Passed on file.

Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248 and 249, relating to the committees of the respective houses of the Legislaturc, and to the duties of the Judiciary Committees thereof.

Passed on file.

Assembly Bill No. 660 (Substitute for Assembly Bill No. 230)—An Act to amend Sections 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations, and other similar corporations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Cosper, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Milce, Miller of Los Angeles, O'Brien, Radcliff, Raub, Raw, Stewart, E. D. Sullivan, Works, Wright, and Mr. Speaker—47

NOES—None.

Title read and approved.

MOTION.

Mr. Dibble moved that the Sergeant-at-Arms of the Assembly be instructed to so suspend the American flag back of the Speaker's chair that the union in said flag shall be on the north side of said Speaker's chair.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1876, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Passed on file.

Assembly Bill No. 458—An Act to amend the Penal Code by adding a new section thereto, to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Dale, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, E. D. Sullivan, Wardell, White, Works, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amounts paid (to the tract of land upon which the same was assessed), upon subsequent assessments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Conrey, Cosper, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Raw, Stewart, E. D. Sullivan, Wardell, White, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. Johnson moved that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Passed on file.

Assembly Bill No. 222—An Act to amend Section 3010 of the Political Code of the State of California, relating to the salaries of officers and employes of the Board of Health.

Passed on file.

Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Passed on file.

Assembly Bill No. 223—An Act to amend Section 3009 of the Political Code of the State of California, relating to the appointment of certain officers and employes of the Board of Health.

Passed on file.

Assembly Bill No. 503 (Substitute for Assembly Bill No. 307)—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Passed on file.

Assembly Bill No. 60—Chapter —, an Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 150—An Act to amend Section 1 of an Act of the Legislature of the State of California, entitled "An Act relating to estrays, and repealing all other Acts and parts of Acts now in force, relating to estrays," approved March 27, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 462—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions of libel.

Passed on file.

Assembly Bill No. 364—An Act entitled "An Act amending Section 204 of the Code of Civil Procedure of the State of California," concerning the selecting and returning of jurors.

Passed on file.

Assembly Bill No. 493—An Act to repeal Section 3640 of the Political Code of the State of California, relating to field enrollment book of Assessors.

Passed on file.

Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by an Act approved March 29, 1897.

Passed on file.

Assembly Bill No. 577 (Substitute for Assembly Bill No. 325)—An Act to prevent the spread of cholera, glanders, farcy, anthrax, splenic or Texas fever, or any contagious or infectious diseases peculiar to domestic animals.

Read second time.

Mr. Atherton moved to amend as follows:

Amend Section 10, line 10, by striking out the words "State Dairy Bureau," and inserting in lieu thereof the words "Board of Supervisors of the county in which said inspection is made."

Amendment adopted.

Assembly Bill No. 577 ordered to print, engrossment, and third reading.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 171—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Passed on file.

Assembly Bill No. 584 (Substitute for Assembly Bill No. 426)—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Passed on file.

Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

Passed on file.

Assembly Bill No. 433—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Passed on file.

Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Passed on file.

Assembly Bill No. 200—An Act to prevent monopolies in articles or commodities of common use and prohibit restraints of trade and commerce, and providing penalties for violations of the provisions of this Act.

Withdrawn by author.

Assembly Bill No. 221—An Act to create a State Board of Accountancy, prescribe its duties and powers, and to provide for the examination of, and issuance of certificates of registration to, qualified applicants, with the designation of Registered Public Accountant.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 359—An Act to amend Section 473 of the Code of Civil Procedure of the State of California, relating to relief from judgments, orders, or proceedings.

Read second time.

The following committee amendment was submitted:

Strike out all after the enacting clause and insert as follows, viz.:

"SECTION 1. Section 473 of the Code of Civil Procedure is hereby amended so as to read:

"Section 473. The court may in furtherance of justice and on such terms as may be proper, allow a party to amend any pleading or proceeding by adding or striking out the name of any party, or by correcting a mistake in the name of a party, or a mistake in any other respect; and may, upon like terms, enlarge the time for answer or demurrer. The court may likewise, in its discretion after notice to the adverse party, allow, upon such terms as may be just, an amendment to any pleading or proceeding in other particulars; and may upon like terms allow an answer to be made after the time limited by this Code; and may, also, upon such terms as may be just, relieve a party or his legal representative from a judgment, order, or other proceedings taken against him through his mistake, inadvertence, surprise, or excusable neglect; *provided*, that application therefor be made within a reasonable time, but in no case exceeding six months after such judgment, order, or proceeding was taken. When from any cause the summons in an action has not been personally served on the defendant, the court may allow, on such terms as may be just, such defendant or his legal representative, at any time within six months after the rendition of any judgment in such action, to answer to the merits of the original action. When in an action to recover the possession of personal property, the person making any affidavit did not truly state the value of the property, and the officer taking the property, for the sureties on any bond or undertaking, is sued for taking the same, the officers or sureties may, in their answer, set up the true value of the property, and that the person in whose behalf said affidavit was made, was entitled to the possession of the same when said affidavit was made, or that the value in the affidavit was inserted by mistake, the court shall disregard the value as stated in the affidavit, and give judgment according to the right of possession at the time the affidavit was made."

Amendment adopted.

Assembly Bill No. 359 ordered to print, engrossment, and third reading.

Assembly Bill No. 504—An Act to amend Sections 21, 22, 26, 28, 42, and 57 of "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for irrigation, etc.," approved March 31, 1891.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "and twenty cents per mile one way only from the place of abode to the place of meeting," on lines 4, 5, and 6, fifth page, printed bill.

Amendment adopted.

Mr. Fairweather moved to amend as follows:

Amend Section 21, line 35, by inserting, after the word "Secretary," "of the Board"; also, on same page, line 37, after the word "Board," insert the words "of Directors"; also, in line 38, change the word "lawful" to "legal."

Amendment adopted.

Assembly Bill No. 504 ordered to print, engrossment, and third reading.

Assembly Bill No. 203—An Act to promote the apicultural interests of the State, by providing County Inspectors of Apiaries and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Withdrawn by author.

Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Passed on file.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs of children," approved March 29, 1878.

Passed on file.

Assembly Bill No. 93—An Act providing the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people by municipal corporations of the fifth and sixth classes.

Withdrawn by author.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Read second time.

The following amendment was offered by Mr. Milice:

Amend Section 1, line 8, by inserting the words "for beverage purposes" after the word "liquors."

Amendment adopted.

Assembly Bill No. 283 ordered to print, engrossment, and third reading.

Assembly Bill No. 109—An Act empowering Boards of Supervisors to construct, reconstruct, and change the location of, and entering into contracts concerning bridge or bridges across navigable streams or waterways in this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Read second time.

Mr. Melick moved to amend as follows:

Amend by striking out of Section 1, lines 19, 20, 21, and 22, the words "*provided*, that upon wagons used exclusively upon roads, or parts of roads, which are one thousand or more feet above sea level, these prescriptions as to width of tires shall be void and of no effect."

Amendment adopted.

Assembly Bill No. 603 ordered to print, engrossment, and third reading.

Assembly Bill No. 48—An Act repealing an Act entitled "An Act to regulate the width of tires of wagons to be used upon the public highways of the State of California," approved March 20, 1897.

Passed on file.

Assembly Bill No. 129—An Act to amend Section 5 of an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897, by amending Section 5 of said Act.

Passed on file.

Assembly Bill No. 201—An Act to amend an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897, by amending Section 5 of said Act.

Passed on file.

Assembly Bill No. 602 (Substitute for Assembly Bill No. 168)—An Act to amend Section 2643 of the Political Code, relating to the road tax and its apportionment among road districts.

Read second time, ordered to engrossment and third reading.

SPECIAL ORDER.

In re Milton J. Green, contempt proceedings.

Mr. Brown asked unanimous consent to withdraw his resolution offered February 7, 1899.

Granted.

Mr. Dibble moved that the matter of the contempt proceedings against Milton J. Green, also the consideration of the report submitted by the special committee, be continued until Friday, February 17, 1899, at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 168—An Act to amend Section 2643 of the Political Code, relating to road tax, and its apportionment among road districts.

Read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 582 (Substitute for Assembly Bill No. 170)—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 170—An Act to amend Section 2665 of the Political Code, relating to highway taxes to be expended in districts.

Passed on file

Assembly Bill No. 583 (Substitute for Assembly Bill No. 169)—An Act to amend Section 2651 of the Political Code, relating to the general road fund and highway taxes.

Read second time, ordered to engrossment and third reading.

Mr. Valentine moved that the Assembly do now consider messages from the Governor

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 10, 1899

To the Assembly of the State of California.

I have the honor to state to your honorable body that claims have been presented to the Board of Examiners by numerous newspapers for various sums of money for the publication of the constitutional amendments, submitted to the people of California at the last general election, some of which are as follows:

San Francisco Call, \$6,900; Examiner, \$7,170 48; Chronicle, \$3,450; California Democrat, \$2,500; Herald Publishing Co. San José, \$1,160; San Diego Vidette Publishing Co., \$1,000; L'Italia, \$2,100; San Francisco Report, \$2,500; Argus Publishing Co., Alameda, \$1,000; Mercury Publishing and Printing Co., San Jose, \$1,000; Sacramento Bee, \$1,184 63; Tribune Publishing Co., Oakland, \$2,160; San Francisco Abend Post, \$1,000; San Francisco Evening Post, \$2,500; and other newspaper claims in different sums, in all aggregating upwards of \$69,000.

Those claims have all been disallowed by the Board of Examiners, because, among other reasons, in the opinion of the board they were not authorized by any existing law.

Many of these claims are for publications made without any authorization therefor, the claimants relying upon the generosity of the State to pay for the publications made. The other claimants rely upon the fact that my distinguished predecessor authorized the publications. The authorizations were made apparently under the statute entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California, to the qualified electors for their approval," approved March 7, 1883 (Statutes of 1883, page 53).

The law at the time of the alleged arrangements between my predecessor and some of the claimants does not seem to warrant the action taken in that behalf.

The Act approved March 7, 1883, declares it shall be the duty of the Governor to advertise such proposed amendments in at least four newspapers of general circulation in this State for three months next preceding the general election, when "no other mode is provided by law."

At the time my predecessor proceeded under the Act of 1883 there *was* another "mode provided by law," namely, by Sections 1194 and 1195 of the Political Code of California, which are as follows:

"Section 1194 At least fifteen days before an election to fill any public office the County Clerk of each county shall cause to be sent to the chairman of the county committee or each organized political party of each county the nominations to office certified to him by the Secretary of State, and also all those filed with the County Clerk. In all counties where a new registration shall take place preceding the next ensuing election, the County Clerk shall cause the name of each voter, as enrolled, to be addressed upon an envelope, and also the number of the residence of said voter, or the correct postoffice address of said voter, as the same is written on said register, and which name and address shall be written on the envelope at the time that each voter is duly registered thereon. All of said envelopes shall be securely kept by the said County Clerk, and ten days before election to fill any public office, he shall cause to be folded and placed in said envelope for mailing, sample ballots containing the nominations to office certified to him by the Secretary of State, and also all those filed with the County Clerk, each of which shall be enclosed in said envelope, and cause the same to be mailed in the United States postoffice as printed matter, for delivery to each of said voters. The mailing of all of said envelopes containing sample ballots, as aforesaid, shall commence at least ten days before the time of election to fill any public office, as aforesaid, and continue so that all of said envelopes containing said sample ballots shall have been mailed at least three whole days before the day of election to fill any public office, as above provided. If a new registration does not take place in any county preceding the next ensuing election, the County Clerk shall cause envelopes to be addressed to each voter, together with the number of the residence of said voter, or correct postoffice address, as the same appears upon the register corrected at that time, as the law provides, and cause to be inclosed therein the nominations to office certified to him, as aforesaid, and cause the same to be mailed in the manner and within the time as above provided. The clerk or the secretary of the legislative body of any incorporated city or town with whom the names of any candidates have been filed, shall mail, in the United States postoffice, envelopes addressed to each voter, together with sample ballots inclosed therein, the list of nominations filed with him, in the same manner as the list of nominations mailed by the County Clerk, as provided in this section.

"Section 1195. Whenever a proposed constitutional amendment or other question is to be submitted to the people of the State for the popular vote, the Secretary of State shall duly, and not less than twenty-five days before election, certify the same to the Clerk of each county of the State; and the Clerk of each county shall include the same in publication provided for in Section 1194 of this Code."

At the time section 1195 was amended, the said section then, as well as now, referred to Section 1194 "as though it had been inserted therein *in extenso*"; and then the language of Section 1194 was as follows:

"Section 1194 At least ten days before an election to fill any public office, the County Clerk of each county shall cause to be published, in at least two newspapers of general circulation within the county, the nominations to office certified to him by the Secretary of State, and also all those filed with the County Clerk. He shall make not less than two such publications in each of such newspapers before election day, one of such publications being made upon the last day upon which such newspaper is issued before the day of election. The list of nominations published by the County Clerks of the respective counties shall be arranged in the order and form in which they will be printed upon the ballot. The clerk or the secretary of the legislative body of any incorporated city or town with whom the names of any candidates have been filed, shall publish in the same manner the lists of nominations filed with him; but where only one newspaper is printed in any county, city, or town, then publication in such newspaper shall be deemed sufficient, and where no newspaper is printed in such county, city, or town, publication shall be made through any newspaper designated by the Board of Supervisors of said county or the legislative body of such city or town, and by posting copies of the ballot in three of the most public places in such county, city, or town, not less than ten days before the day of election."

In this connection, perhaps, it would not be amiss to bear in mind the rule of statutory construction laid down in *People vs. Whipple* (47 Cal., 592), and in many other cases, as well as those principles of law carried into various provisions of our Codes.

The acts of my predecessor authorizing the publications took place in 1898, when, as now, Sections 1194 and 1195 were in force.

I have examined several of the largest of these claims presented, and find them, with one exception, very excessive.

I know of no provisions of the law by which any of these claimants can be protected in any fair and honest demands which may be presented.

I therefore submit these claims to your honorable body for such fair and equitable adjustment as they may respectively require.

I respectfully suggest that if appropriations be made, they should be incorporated in separate bills.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved that the Governor's message be printed in the Journal and lay over until to-morrow as unfinished business.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Miller of Los Angeles: Assembly Bill No. 731—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending Sections 852, 862, 874, and 875 thereof.

Read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At three o'clock and fifty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, February 11, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 11, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hoey, Julson, Johnson, Kelly, Kenneally, Knights, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—52.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Mack, Sanford, Wardell, and Griffin were granted leave of absence until next Wednesday, on motion of Mr. Valentine.

Mr. Muentzer was granted leave of absence for the day, on motion of Mr. Dunlap.

Mr. Belshaw was granted leave of absence for the day, on motion of Mr. Greenwell.

Messrs. Milice, Pierce, Kelsey, Stewart, Hanley, Boone, McKeen, and De Lancie were granted leave of absence until Monday noon, on motion of Mr. Crowder.

Mr. Devoto was granted leave of absence until Tuesday, on motion of Mr. E. D. Sullivan.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Dibble.

The Journal of Thursday, February 9, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 60, 150, 584, 221, 109, 602, 168, 582, and 583

Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Assembly Bill No. 150—An Act to amend Section 1 of an Act of the Legislature of the State of California entitled "An Act relating to estrays, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 27, 1897.

Assembly Bill No. 584—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Assembly Bill No. 221—An Act to create a State Board of Accountancy, prescribe its duties and powers, and to provide for the examination of, and issuance of certificates of registration to, qualified applicants, with the designation of Registered Public Accountants.

Assembly Bill No. 109—An Act empowering Boards of Supervisors to construct, reconstruct, and change the location of, and entering into contracts concerning bridge or bridges across navigable streams or waterways in this State.

Assembly Bill No. 602—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts

Assembly Bill No. 169—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts.

Assembly Bill No. 582—An Act to amend Section 2655 of the Political Code, relating to highway taxes, to be expended in districts.

Assembly Bill No. 583—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes

RICKARD, Chairman.

Assembly Bills Nos. 60, 150, 584, 221, 109, 602, 168, 582, and 583 ordered on third-reading file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 552—An Act placing all companies selling certificates, bonds, or debentures with coupons attached thereto, on the partial payment or installment plan, doing business in this State under the supervision and control of the State Board of Bank Commissioners—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 64—An Act amending the Civil Code of the State of California, adding thereto three new sections, to be numbered 490, 495, and 496, authorizing the purchase or lease by railroad corporations created under the laws of this State, or of any other State or Territory, or of the United States, which are now or hereafter may be doing business as common carriers in this State, or any or all of the property and franchises owned, situated, held, or used wholly or partially in this State by any railroad company created under the laws of this State, or of any other State or Territory, or of the United States, which is now or hereafter may be doing business as a common carrier in this State, and authorizing the sale or lease by any such corporation, as above mentioned, of any such property or franchises, or both, which it may own, use, or hold, wholly or partially in this State—have had the same under consideration, and respectfully report the same back with a substitute, and recommend that the substitute do pass, and that the author be allowed to withdraw the original bill.

RAUB, Chairman.

Assembly Bill No. 552 ordered on second-reading file.

INTRODUCTION OF BILL.—(OUT OF ORDER).

By Committee on Corporations: Assembly Bill No. 732 (Substitute

for Assembly Bill No 64)—An Act amending the Civil Code of the State of California, by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State, of its property and franchises, or any part thereof.

Read first time, and placed on second-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 178—An Act to enable railroad companies to complete their railroads, and authorizing construction of railroads—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate and the effect of such certificate.

Also: Assembly Bill No. 469—An Act to amend Section 5 of an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Also: Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

RAUB, Chairman.

Assembly Bills Nos. 178, 464, 469, and 652 ordered on second-reading file.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and secure the site, and submit sketch plans and specifications therefor; to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes, looking to the confinement of incorrigibles at Folsom Prison; to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation at such reformatory when established, and to make an appropriation for such purposes—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

Also: Assembly Bill No. 646—An Act to provide special quarters in county, city and county jails, city jails, or police stations, for juvenile prisoners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ATHERTON, Chairman.

Assembly Bill No. 628 referred to Committee on Ways and Means.

Assembly Bill No. 646 ordered on second-reading file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 339—An Act to authorize the insurance of all property of the University of California, held for purposes of income, against damages or loss—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means without recommendation.

CROWDER, Chairman

Assembly Bill No. 339 ordered on second-reading file.

Assembly Bill No. 199 referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Hsler for attempted highway robbery.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of J. W. Sibole

Also: Assembly Bill No. 344—An Act to pay the claim of J. E. Atkinson against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended, and that same be referred to Committee on Ways and Means

Also: Assembly Bill No. 612—An Act to appropriate the sum of \$300 to pay the claim of Theodore Pliesch for money due and owing to the said Theodore Pliesch from the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that same be referred to Committee on Ways and Means.

Also: Assembly Bill No. 26—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be referred to Committee on Ways and Means

Also: Assembly Bill No. 494—An Act to pay the claim of G. H. Smith for services rendered as Porter in the Assembly at the thirty second session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that same be referred to Committee on Ways and Means

WILLIAM McDONALD, Chairman.

Assembly Bills Nos. 345, 242, 344, 642, 26, and 494 referred to Committee on Ways and Means.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

Also: Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure"

Also: Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial.

Also: Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessments in reclamation districts, and to provide for a hearing of the land owners before the Commissioners of Assessment, in relation to such assessment.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 329, 149, 265, and 145 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 229—An Act to amend Section 243—An Act conferring power upon the governing body of municipal corporations of the first class, to provide for the erection of a municipal hospital, and to levy a tax therefor.

Also: Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts and protection districts for non-user of corporate powers

And respectfully ask your concurrence in said amendments.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 198—An Act entitled "An Act to amend Section 1858 of the Political Code of this State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

DE LANCIE, Chairman.

Assembly Bill No. 198 ordered on second-reading file.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 15, relative to the building of a submarine cable from San Francisco to Honolulu, Japan, and the Philippine Islands.

Also: Assembly Joint Resolution No. 18, relative to immigration from the Philippine Islands

Also: Assembly Joint Resolution No. 16, relative to timber lands in Yosemite Valley. Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

DALE, Chairman

Assembly Joint Resolutions Nos. 15, 18, and 16 ordered on third-reading file.

MOTION.

Mr. Dibble moved that Assembly Bills Nos. 243 and 103 be placed on file of unfinished business.

So ordered.

Assembly Bills Nos. 64, 256, and 259 withdrawn by authors.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Arnerich: Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 735—An Act to provide for the advertising of the constitutional amendments, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Conrey: Assembly Bill No. 737—An Act adding four new sections to the Political Code, to be numbered consecutively 1674, 1675, 1676, and 1677, authorizing school districts to establish and maintain day schools for the deaf, etc.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 738—An Act authorizing and directing refund to parties, their attorneys, their heirs and assigns, of unconsumed portions of money deposited as security for costs of actions and proceedings in the District Courts and Superior Courts of the State, under an Act approved March 5, 1870.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 739—An Act to amend Section 857 of the Civil Code of the State of California, relating to creation of express trusts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 740—An Act to amend Section 1313 of the Civil Code, relating to charitable bequests and devises.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 741—An Act entitled "An Act

to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State.”

Read first time, and referred to Committee on Fish and Game.

By Mr. Valentine: Assembly Bill No. 742—An Act to amend Section 290 of an Act entitled “An Act to establish a Civil Code,” approved March 21, 1872, relating to articles of incorporation.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 743—An Act to amend Section 305 of an Act entitled “An Act to establish a Civil Code of the State of California,” approved March 21, 1872, relating to corporations.

Read first time, and referred to Committee on Judiciary.

By Mr. Brooke: Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of the State.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

By Mr. E. D. Sullivan: Assembly Constitutional Amendment No. 21—Proposed amendment to Article XIII of the Constitution, relative to exemption from taxation of bonds issued by the State of California, et al.

Read, and referred to Committee on Judiciary.

By Mr. Crowder: Assembly Constitutional Amendment No. 22—Proposed amendment to Article IV of the Constitution, relative to the regulation of charges of telephone corporations.

Read, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Constitutional Amendment No. 23—Proposed amendment to Article IX of the Constitution, relative to confirming the founding of Leland Stanford Jr. University.

Read, and placed on file.

RESOLUTION—(OUT OF ORDER).

By Mr. Crowder:

Resolved, That in connection with the Committee on Public Buildings and Grounds authorized by resolution of the House to visit and inspect the site upon which it is proposed to erect a free market, Mr. George G. Radcliff, the author of the bill, be granted permission to visit and inspect said site.

Resolution adopted.

Mr. Dibble moved that the file of unfinished business be continued and made special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Dibble moved that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing certain conflicting Acts.

Passed on file.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Passed on file.

WITHDRAWAL OF BILLS.

Mr. Caminetti moved (at request of authors) that Assembly Bills Nos. 222 and 223 be withdrawn.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Caminetti (by request): Assembly Bill No. 745 (Substitute for Assembly Bills Nos. 222 and 223)—An Act to abolish the office of Quarantine Officer for the Board of Health for the City and County of San Francisco.

Read first time, and placed on second-reading file.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Passed on file.

Assembly Bill No. 503 (Substitute for Assembly Bill No. 307)—An Act providing for the location of sites for reservoirs to store flood waters, near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Passed on file.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Passed on file.

Assembly Bill No. 462—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions of libel.

Passed on file.

Assembly Bill No. 364—An Act entitled "An Act amending Section 204 of the Code of Civil Procedure of the State of California," concerning the selection and returning of jurors.

Passed on file.

Assembly Bill No. 493—An Act to repeal Section 3640 of the Political Code of the State of California, relating to field enrollment book of Assessor.

Passed on file.

Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Passed on file.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 171—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Passed on file.

Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Passed on file.

At ten o'clock and forty minutes A. M., the Speaker called Mr. Mead to the chair.

Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

Passed on file.

Assembly Bill No. 433—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Passed on file.

Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Passed on file.

Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Passed on file.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs of children," approved March 29, 1878.

Passed on file.

Assembly Bill No. 48—An Act repealing an Act entitled "An Act to regulate the width of tires of wagons to be used upon the public highways of the State of California," approved March 20, 1897.

Withdrawn by author.

Assembly Bill No. 129—An Act to amend Section 5 of an Act entitled "An Act to regulate the width of tires of wagons to be used on the pub-

lic highways of the State of California," approved March 20, 1897, by amending Section 5 of said Act.

Withdrawn by author.

Assembly Bill No. 201—An Act to amend an Act entitled "An Act to regulate the width of tires of wagons to be used on the public highways of the State of California," approved March 20, 1897, by amending Section 5 of said Act.

Withdrawn by author.

Assembly Bill No. 170—An Act to amend Section 2665 of the Political Code, relating to highway taxes to be expended in districts.

Withdrawn by author.

Assembly Bill No. 169—An Act to amend Article IV, Section 2651, of the Political Code, relating to the general road fund and highway taxes.

Withdrawn by author.

Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Read second time.

Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Mead in the chair, for the purpose of considering Assembly Bills Nos. 274, 211, and 124.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 274, 211, and 124 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Also: Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

And do now report the same back, with amendments, and recommend that they do pass as amended.

MEAD, Chairman

Report adopted.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act

entitled "An Act for the protection of children, and to prevent and punish wrongs of children," approved March 29, 1878.

The following committee amendment was submitted:

Amend by striking out the word "immediately," on line 1, Section 2, page 1 of printed bill, and inserting in lieu thereof the following: "on the first day of January, nineteen hundred."

Amendment adopted.

Assembly Bill No. 299 ordered to print, engrossment, and third reading.

Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 by adding the following to said section: "for services rendered the State under the provisions of an Act entitled 'An Act for the relief of the enlisted men of California volunteers in the service of the United States,' approved April 27, 1863 and an Act entitled 'An Act granting bounties to the volunteers of the State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds,' approved April 4, 1864"

Amendment adopted.

AMENDMENT No. 2

Amend by adding a new section, to be known as Section 3, to read as follows: "Section 3. This Act shall take effect and be in force from and after its passage."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words "its approval," on line 1, Section 3, page 1 of printed bill, and inserting in lieu thereof the following: "the first day of January."

Amendment adopted.

Assembly Bill No. 211 ordered to print, engrossment, and third reading.

Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 3, line 16 of printed bill, by striking out the words on said line reading as follows: "who has not attended for at least two years," and inserting in lieu thereof the words "unless he is a graduate thereof"

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word "college," on line 17 of Section 3 of the printed bill, the words "of the United States."

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting on line 3 of Section 8 of the printed bill the words "or ship the same by rail," after the word "State," where it first appears in said line.

Amendment adopted.

By Mr. Atherton:

On page 21, Section 2, line 3, after the word "required" insert the following: "upon complaint made to it of the existence of any disease among stock or unsanitary conditions as mentioned and referred to in this Act."

Amendment adopted.

Also: On page 2, Section 2, line 3 of printed bill, after the word "inspect," strike out the word "all," and insert in lieu thereof the word "the."

Amendment adopted.

Also: On page 2, Section 2, line 3, after the word "State," add the following: "so complained of, or of which it has such information."

Amendment adopted.

Also: On page 2, Section 2, line 8, after the word "Act," insert the following: "belonging or in any way used about or pertaining thereto."

Amendment adopted.

Assembly Bill No. 124 ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Clough:

WHEREAS, The dispatch of public business is greatly retarded by the crowded condition of the Assembly Chamber and the constant loud talking going on, on the part of people not entitled to privileges of the floor; therefore, be it

Resolved, That from and after Monday, February 13, 1899, all persons not entitled to the floor shall be excluded therefrom, and no card or request shall be delivered to members during the sessions of the House, by the Sergeant-at-Arms; *provided*, that families of members shall not come under this prohibition; *and provided further*, that a triple row of seats shall be assigned at the rear of the chamber for the use of visitors.

Resolution adopted.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 7—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists.

Passed on file.

Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Passed on file.

Assembly Bill No. 74—An Act creating a live stock sanitary commission for the State of California, to protect the health of domestic animals of the State from all infectious or contagious diseases.

Passed on file.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 31, 1897," relating to the classification of counties into agricultural districts.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 609 (Substitute for Assembly Bill No. 457)—An Act to amend Section 623 of the Penal Code, and to add a new section to the Penal Code, to be known as Section 623½, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, exhibit, or other public place.

Read second time, ordered to engrossment and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Kennecally:

Resolved, That the rules of the Assembly be modified so as to prohibit any member thereof from addressing another member on any subject whatever during the sessions of the Assembly.

Referred to Committee on Rules and Regulations.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 457—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Withdrawn by author.

Assembly Bill No. 478—An Act regulating the cancellation of fire insurance policies, and providing penalties for refusing to cancel the same.

Read second time.

The following committee amendment was submitted:

Amend by striking out all of Section 8, last line page 3, printed bill.

Amendment adopted.

Assembly Bill No. 478 ordered to print, engrossment, and third reading.

Assembly Bill No. 637 (Substitute for Assembly Bill No. 120)—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act, approved March 26, 1895, entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State.'"

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 120—An Act to amend an Act approved March 29, 1897, entitled "An Act to amend an Act entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State,' approved March 26, 1895"

Withdrawn by author.

Assembly Bill No. 638 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Passed on file.

Assembly Bill No. 297—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relating to County Boards of Education.

Passed on file.

Assembly Bill No. 298—An Act to amend Sections 1790 and 1791 of the Political Code, relative to City Boards of Examination.

Passed on file.

Assembly Bill No. 639 (Substitute for Assembly Bill No. 295)—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1650, 1663, 1667, 1677, 1674, 1713, 1714, 1768, 1830, 1858, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 295—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882, of the Political Code of the State of California, and to add a new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rogers for services as elevator attendants in the Capitol building.

Passed on file.

Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Mead in the chair, for the purpose of considering Assembly Bill No. 347.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 347 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State—and do now report, and recommend that it do pass.

MEAD, Chairman

Report adopted.

Assembly Bill No. 347 ordered to engrossment and third reading.

Assembly Bill No. 644 (Substitute for Assembly Bill No. 256)—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for the appointment of an auditing board to the Commissioners of

Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Read second time.

Mr. Johnson moved to amend by inserting after the title of the bill the following enacting clause:

"The people of the State of California, represented in Senate and Assembly, do enact as follows."

Amendment adopted.

Assembly Bill No. 644 ordered to print, engrossment, and third reading.

Assembly Bill No. 256—An Act to amend an Act entitled "An Act providing for the appointment of an auditing board to the Commissioners of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897, by amending Sections 2, 3, and 4 thereof, so as to provide for the improvement and protection of the navigable channels and harbors of this State.

Withdrawn by author.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Beecher: Assembly Bill No. 746—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances.

Read first time, and referred to Committee on Judiciary.

By Mr. Clough: Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 748—An Act making an appropriation to pay the claim of the National Bulletin for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 749—An Act making an appropriation to pay the claim of the Sierra Valley Record for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Valentine: Assembly Bill No. 750—An Act to create the Board of State Capitol Commissioners, define its powers and duties, provide for certain officers and employes, define the duties and powers of such officers and employes, and fix their compensation.

Read first time, and referred to Committee on Ways and Means.

By Mr. Clough: Assembly Bill No. 751—An Act making an appro-

priation to pay the claim of the Daily Morning Union for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Robinson: Assembly Bill No. 752—An Act making an appropriation to pay the claim of the Daily Transcript for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Caminetti: Assembly Bill No. 753—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

Read first time, and referred to Committee on Education.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 645—An Act to amend Section 558 of the Penal Code, relating to malicious injuries to highways and bridges.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State, at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Read second time.

MOTION.

Mr. Knights moved that the Assembly do now resolve itself into a Committee of the Whole, with Mr. Mead in the chair, for the purpose of considering Assembly Bill No. 509.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 509 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the

General Fund, and directing the State Treasurer to pay said warrants—and do now report the same, with amendments, and recommend that the same do pass as amended.

MEAD, Chairman

Report adopted.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund. and directing the State Treasurer to pay said warrants.

The following amendment by Committee on Public Buildings and Grounds was submitted:

Amend by adding the words "*provided, that the aggregate of the salaries of the said employes and servants shall not exceed two thousand dollars a year,*" after the word "mansion," on line 19, page 2, printed bill.

Mr. Valentine moved to amend the committee amendment as follows:

Amend by inserting the words "five hundred" after the words "two thousand," in amendment made, on line 19, Section 1, page 2, printed bill.

Amendment, as amended, adopted.

Assembly Bill No. 509 ordered to print, engrossment, and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 416, 376, and 393

Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered respectively Sections 248 and 249, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary Committees thereof

Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Assembly Bill No. 393—An Act to secure to native sons and naturalized citizens of the United States the exclusive right to labor on public works in this State

Also: The following bills have been correctly engrossed: Assembly Bills Nos. 19, 439, and 245

Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections

Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

RICKARD, Chairman.

Assembly Bills Nos. 416, 376, 393, 19, 439, and 245 ordered on third-reading file.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Passed on file.

Assembly Bill No. 593—An Act to amend Section 1395 of the Code of Civil Procedure

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 188—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 2039, concerning the manner in and the time within which certain objections to depositions shall be made

Read second time.

The following committee amendment was submitted:

Insert after the word "State," in line 16 of Section 1 of the printed bill, the following: "This section does not apply to depositions in cases which have been set for trial before the giving of notice of the filing of such deposition herein provided, except where such cases are not to be tried until more than fifteen days after the giving of such notice."

Amendment adopted.

Assembly Bill No. 188 ordered to print, engrossment, and third reading.

Assembly Bill No. 482—An Act to amend Section 2955 of the Civil Code of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 95—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary, and to appropriate money therefor.

Mr. Dibble moved that Assembly Bill No. 351 be substituted on the file for Assembly Bill No. 95.

So ordered.

Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors, and Marines, and to provide for the government thereof by the State," approved March 11, 1897.

Read second time

Mr. Dibble moved that Assembly Bill No. 351 be made special order for Tuesday, immediately after reading the Journal.

So ordered.

Assembly Bill No. 384—An Act relating to "grub-stake contracts."

Read second time.

The following committee amendment was submitted:

Amend by striking out the comma after the word "thereby," in line 3, Section 2 of printed bill, and inserting a period Also, strike out all after the word "thereby," in line 3 of section 2.

Amendment adopted.

Assembly Bill No. 384 ordered to print, engrossment, and third reading.

Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897.

Read second time, ordered to engrossment and third reading.

RECESS.

At eleven o'clock and forty minutes A. M., on motion of Mr. Johnson, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened.

Speaker Anderson in the chair.

Mr. Dibble moved that when the Assembly adjourn this day the rules be suspended, and that such adjournment shall be until eleven o'clock and forty-five minutes A. M. of Monday, February 13, 1899.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899

MR. SPEAKER: Your Committee on Ways and Means introduce an Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year, and respectfully recommend that it do pass.

VALENTINE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 754—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year.

Read first time, and ordered on second-reading file.

REPORT OF COMMITTEE ON WAYS AND MEANS—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 340—An Act to amend the title to an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled 'An Act to appropriate money to reimburse the University of California for money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893; to amend Section 4 of the same Act, and to appropriate the sum of \$16,747 50 now in the University Fund and unavailable—have had the same under consideration and respectfully report the same back without recommendation.

Also: Assembly Bill No. 503—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with such reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Also: Assembly Bill No. 656—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, etc., for the forty-eighth fiscal year, to pay the claim of the Sacramento Electric, Gas, and Railway Company for electric lighting in the State Capitol building.

Also: Assembly Bill No. 657—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, etc., for the forty-ninth fiscal year, to pay the claim of the Sacramento Electric, Gas, and Railway Company for electric lighting in the State Capitol building.

Also: Assembly Bill No. 521—An Act to protect the health of consumers, and making appropriation therefor.

Also: Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same.

Also: Assembly Bill No. 449—An Act concerning a Veteran Volunteer Firemen's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and services as firemen of such veteran volunteer firemen.

Also: Assembly Bill No. 415—An Act making an appropriation to pay the claim of

Julius Herzog for injuries sustained while in the service of the National Guard of California.

Also: Assembly Bill No 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Also: Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Also: Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Also: Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor

Also: Assembly Bill No 607—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor

Also: Assembly Bill No. 661—An Act making an appropriation to pay the claim of D. E. O'Keefe, for publishing summons in foreclosing interest of delinquent purchasers of State school lands

Also: Assembly Bill No. 668—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor

Also: Assembly Bill No. 476—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 103—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purpose.

Also: Assembly Bill No 252—An Act to pay the claim of E. N. Strout for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No 492—An Act to reorganize the State Board of Health, and to grant it additional powers—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same, and that the accompanying bill be substituted.

VALENTINE, Chairman.

Assembly Bills Nos. 340, 503, 656, 657, 521, 155, 449, 415, 174, 15, 303, 428, 607, 661, 668, 405, 476, 477, 105, and 252 ordered on second-reading file.

Senate Bill No. 21 ordered on Senate special file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Read first time, and placed on second-reading file.

REPORT OF COMMITTEE ON WAYS AND MEANS—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols for services rendered to the State of California.

Also: Assembly Bill No. 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Also: Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and the vault therein, and making an appropriation therefor.

Also: Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VALENTINE, Chairman.

Assembly Bills Nos. 481, 488, and 610 ordered on second-reading file.
Senate Bill No. 11 ordered on Senate special file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 412—An Act to establish a Camp of Instruction for the National Guard of the State of California, and to authorize the acquisition, by donation, of a site for the same.

Also: Assembly Bill No. 413—An Act to amend Section 2222 of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HENRY, Chairman.

Assembly Bills Nos. 412 and 413 ordered on second-reading file.

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER: We, the Committee on Public Lands and Forestry, do hereby recommend that Assembly Bill No. 619 do pass.

KENNEALTY, Chairman.

Assembly Bill No. 619 ordered on second-reading file.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith.

Passed on file.

Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read second time.

Mr. Feliz moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 279.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 279 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly

Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor—and do now report and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 279 ordered to engrossment and third reading.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 11, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Braunhart, Bulla, Burnett, Chapman, Cutter, Davis, Dickinson, Dwyer, Feeney, Gillette, Hall, Jones, Laird, La Rue, Luchsinger, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Taylor, and Trout—26

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Henry, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radchiff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr Speaker—53.

Quorum of the Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, February 10, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, February 10, 1899, resulted in no election of

United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Morehouse—3.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Burnett, Laird, and Shortridge—3.
For U. S. Grant, Jr.—Senators Cutter, Jones, Nutt, Smith, and Trout—5.
For Thomas R. Bard—Senator Rowell—1.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Dwyer, La Rue, Prisk, and Sims—7.
For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators.....	26
W. H. L. Barnes received	3 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	3 votes
U. S. Grant, Jr., received	5 votes.
Thomas R. Bard received	1 vote
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	7 votes
William T. Jeter received	1 vote

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, and Lardner—5.
For R. N. Bulla—Messrs. Conrey, Cosper, Melick, Miller of Los Angeles, Robinson, and Valentine—6
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kennaally, Miller of San Francisco, Rickard, Eugene Sullivan, and Wright—14.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Blood, Chynoweth, Clark, Crowder, Dale, Greenwell, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Radcliff, Raub, Raw, and Works—14.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1
For Stephen M. White—Messrs. Caminetti, Cowan, Fairweather, Feliz, Glenn, Hoey, Mead, O'Brien, F. D. Sullivan, and White—10.
For James D. Phelan—Mr. Burnett—1

Whole number of votes cast by Assemblymen	53
W. H. L. Barnes received	5 votes
R. N. Bulla received	6 votes.
D. M. Burns received	14 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	14 votes
Irving M. Scott received	1 vote
Marion De Vries received	1 vote.
Stephen M. White received	10 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	79
Necessary to a choice	40
W. H. L. Barnes received	8 votes.
R. N. Bulla received	10 votes.

D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr, received	19 votes
Thomas R. Bard received	1 vote.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	17 votes
William T. Jeter received	1 vote.
James D. Phelan received	1 vote

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Senator Davis moved to adjourn until Monday at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Monday, February 13, 1899.

IN ASSEMBLY.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until eleven o'clock and forty-five minutes A. M. of Monday, February 13, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 13, 1899. }

The Assembly met at eleven o'clock and forty-five minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Crowder, Crowly, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr Speaker—76.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Saturday's Journal, the further reading was dispensed with, on motion of Mr. Dibble.

The Journal of Friday, February 10, 1899, was read and approved.

RECESS.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Dibble, the Assembly took a recess until eleven o'clock and fifty-eight minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-eight minutes A. M., the Assembly reconvened.

Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 13, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Bulla, Burnett, Chapman, Currier, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner,

O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, February 11, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, February 11, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeny—1.
For Stephen M. White—Senators Ashe, Chapman, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—8.
For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators	35
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	8 votes
William T. Jeter received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentzer—7.
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale,

De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Hanley, Hoey, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, and White—14

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen	76
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes
D. M. Burns received	19 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	21 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	14 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	111
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	26 votes
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	28 votes
Thomas E. Bard received	2 votes
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes
Stephen M. White received	22 votes
William T. Jeter received	1 vote.
James D. Phelan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., Assemblyman Dibble moved to adjourn until Tuesday at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, February 14, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-two minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Anderson in the chair.

Mr. Dibble moved that the Assembly pass the Senate special file for thirty minutes.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. McDonald of Alameda (by request): Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture, as instructress and silk expert.

Read first time, and referred to Committee on Ways and Means.

By Mr. Wade: Assembly Bill No. 757—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto to be known as Section 653½.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 758—An Act to amend Sections 649 and 650 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Hoey: Assembly Bill No. 759—An Act to amend "An Act to provide for the compiling, illustrating, electrotyping, printing, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885, by amending Sections 7 and 10, and by adding a new section to said Act numbered 6½, providing for the free use of text-books in the common schools.

Read first time, and referred to Committee on Education.

By Mr. Kelley: Assembly Bill No. 760—An Act making an appropriation to pay the claim of the Tribune Publishing Company for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Melick: Assembly Bill No. 761—An Act making an appropriation to pay the claim of the Sun for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 762—An Act making an appropriation to pay the claim of the Record for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 763—An Act making an appropriation to pay the claim of the Report for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Atherton: Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison

Read first time, and referred to Committee on Ways and Means.

By Mr. Raub: Assembly Bill No. 765—An Act to amend an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1, of Sutter County," approved March 20, 1874, extending the time during which the Board of Directors may sit as a Board of Equalization.

Read first time, and referred to Committee on Swamp and Overflowed Lands and River Improvements.

By Mr. Jilson: Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due and owing to the said J. L. Childs from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dibble: Assembly Bill No. 767—An Act making an appropriation to pay the claim of the San Francisco Chronicle for advertising the constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dunlap: Assembly Bill No. 768—An Act making an appropriation to pay the claim of Colnon & Nunan, publishers of the Stockton Mail, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 769—An Act making an appropriation to pay the claim of J. L. Phelps & Co., publishers of the Stockton Daily Independent, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Caminetti: Assembly Bill No. 770—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 642 and 643 thereof, relating to fish and game.

Read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 771—An Act to add a new section to the Code of Civil Procedure, to be numbered 1871, relating to evidence of citizenship

Read first time, and referred to Committee on Judiciary.

By Mr. Works: Assembly Bill No. 772—An Act fixing the fee to be charged by any County Recorder in any county, and any City and County Recorder in any city and county in the State of California, for filing certificates of tax sales issued by the Tax Collector of any municipality within this State, when bound in book form.

Read first time, and referred to Committee on Judiciary.

By Mr. Mead: Assembly Bill No. 773—An Act making an appropriation to pay the claim of Mark R. Plaisted for publishing proposed constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Johnson: Assembly Bill No. 774—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record-Union.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 775—An Act providing that certain Justices' Courts and Justices of the Peace shall have jurisdiction of cases of violations of city ordinances.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelsey: Assembly Bill No. 776—An Act to authorize counties, cities and counties, cities, or towns to pay the fees and compensation provided by law to be paid to any officer or person charged with the duty of performing such services when the same have been performed, and compensation by misconstruction or mistake of law, without such claimant's fault, has been denied him.

Read first time, and referred to Committee on Judiciary.

By Mr. Knights: Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Mr. Dibble moved that the following report of the Committee on Rules and Regulations be printed in the Journal and lay over one day. So ordered.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following amendments to the Standing Rules of the Assembly, and recommend that they be adopted:

That Rule XLIII be amended by the addition of the following:

"When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not in any case occupy more than two minutes."

"Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the General Appropriation Bill and the tax levy."

That Rule LVIII be amended by the addition of the following:

"No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion."

Also: That Rule LXVI be amended by the addition of the following:

"The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and it shall be enforced by the Speaker."

Also: That an additional rule be adopted as follows:

"Rule LXXVI. Introduction of bills after fiftieth day.

"On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

"All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of 'Introduction of Bills,' and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

"That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

"The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate special file.

"The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

"If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

"When a motion for leave to introduce a bill fails to receive the requisite two-thirds vote required by the Constitution, such bill shall not be again offered."

DIBBLE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Rickard:

Resolved, That Peter Kenney be appointed Doorkeeper at a salary of \$3 per day, as allowed by law, vice George Sharp, removed.

Mr. Rickard moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belsbaw, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Wade, White, Works, and Mr. Speaker—51.

NOES—None.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the week ending Saturday, February 11, 1899, as follows:

Bills Referred to this Committee Since Last Report.

Feb. 6, Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California, approved May 3, 1852.	
6, Assembly Bill No. 503—An Act providing for the location for sites for reservoirs to store flood waters, etc.	\$15,000 00
6, Assembly Bill No. 509—For maintenance of a Governor's mansion	2,000 00
6, Assembly Bill No. 597—To compile an index of the opinions of the Attorney-General	1,000 00
6, Assembly Bill No. 607—To protect domestic live stock from contagious and infectious diseases	10,000 00
6, Assembly Bill No. 610—To furnish the office and vault of the Surveyor-General	12,000 00
6, Assembly Bill No. 616—To purchase new carpets, draperies, and furniture for Senate and Assembly chambers	15,000 00
6, Assembly Bill No. 617—To bore a well, furnish and set stand pipes, etc.	7,500 00
6, Assembly Bill No. 618—Claim of Office Specialty Company	2,500 00
6, Assembly Bill No. 622—To amend an Act to appropriate money for the support of orphans, half-orphans, etc.	
6, Assembly Bill No. 624—Additional lands for Stockton State Hospital	30,000 00
6, Assembly Bill No. 625—For sidewalk and fencing, Stockton State Hospital	5,000 00
6, Assembly Bill No. 626—Claim of Frank D. Cobb	4,227 00
7, Assembly Bill No. 630—Sprinkling and pumping plant, Yosemite Valley	17,000 00
7, Assembly Bill No. 95—For Supreme Court Commissioners	67,000 00
7, Assembly Bill No. 411—To furnish office and vault of Secretary of State	7,500 00
8, Assembly Bill No. 661—Claim of D. E. O'Keefe	40 00
8, Assembly Bill No. 492—To organize State Board of Health	50,000 00
8, Senate Bill No. 82—To furnish office and vault of State Treasurer	7,500 00
8, Assembly Bill No. 657—Deficiency in appropriation for stationery, fuel, lights, etc.	570 78
8, Assembly Bill No. 521—To protect the health of consumers	5,000 00
8, Assembly Bill No. 651—Claims against United States	
8, Assembly Bill No. 656—Deficiency in appropriation for stationery, fuel, lights, etc.	375 97
9, Senate Bill No. 54—For construction of seawall, San Francisco	1,000 00
9, Assembly Bill No. 65—Claim of Maria Wilhartitz	89 60
9, Assembly Bill No. 105—Relief of district agricultural associations	75,000 00
9, Assembly Bill No. 252—Claim of E. M. Strout	2,000 00
9, Assembly Bill No. 303—Claim of A. E. Pomeroy et al	639 80
9, Assembly Bill No. 405—Claim of W. H. Donnelly	2,500 00
9, Assembly Bill No. 415—Claim of Julius Herzog	2,000 00
9, Assembly Bill No. 428—Claim of Joseph Schwindel	120 00
9, Assembly Bill No. 481—Claim of J. C. Nichols	79 70
9, Assembly Bill No. 525—Claim of A. L. Wood	300 00
9, Assembly Bill No. 594—Claim of Claus Spreckels	25,000 00
9, Assembly Bill No. 598—Claim of W. H. Murray	1,300 00
9, Assembly Bill No. 668—Folsom highway	25,000 00
9, Assembly Bill No. 483—To furnish office of Superintendent of Public Instruction	5,000 00
9, Assembly Bill No. 501—For tiling and resetting steam pipes on second floor of Capitol building	5,000 00
9, Assembly Bill No. 558—For concrete floor in basement of State Capitol building	3,000 00
9, Senate Bill No. 11—For Tioga wagon road	25,000 00
10, Assembly Bill No. 449—For Veteran Volunteer Firemen's Association	3,000 00
10, Assembly Bill No. 674—To purchase land in Humboldt Bay	13,000 00
10, Assembly Bill No. 679—For forestry station at Chico	374 45
10, Assembly Bill No. 690—To create a State Board of Charities and Corrections	8,000 00

Bills Introduced by this Committee.

Feb. 7, Assembly Bill No. 662—To pay the salaries of employes of Commissioner of Public Works	2,390 00
7, Assembly Bill No. 663—Claim of C. W. Spring & Son	100 00
7, Assembly Bill No. 664—Deficiency for stationery, fuel, lights, etc.	1,551 98

Feb. 7, Assembly Bill No. 665—Deficiency for stationery, fuel, lights, etc.	\$2,500 00
7, Assembly Bill No. 666—Claim of City of Sacramento for water furnished the State Capitol	450 00
7, Assembly Bill No. 667—Claim of City of Sacramento for water furnished the State Capitol	600 00
3, Assembly Bill No. 604—To pay funeral expenses of late State Treasurer Levi Rackhffe	809 50
3, Assembly Bill No. 605—Deficiency in appropriation for transportation of insane	3,164 30
3, Assembly Bill No. 606—Deficiency in appropriation for repairs to Capitol building and furniture	10,000 00
	\$478,183 08

Bills Reported Favorably.

Feb. 6, Assembly Bill No. 272	
3, Assembly Bill No. 604	\$809 50
6, Assembly Bill No. 326	3,500 00
3, Assembly Bill No. 605	3,164 30
6, Assembly Bill No. 279	8,111 15
3, Assembly Bill No. 606	1,000 00
6, Assembly Bill No. 538	10,000 00
6, Assembly Bill No. 509	2,500 00
7, Assembly Bill No. 353	
7, Assembly Bill No. 351	
1, Assembly Bill No. 31	2,000 00
7, Assembly Bill No. 76	3,000 00
7, Assembly Bill No. 77	1,000 00
7, Assembly Bill No. 78	100 00
7, Assembly Bill No. 79	1,500 00
7, Assembly Bill No. 80	850 00
8, Assembly Bill No. 81	200 00
7, Assembly Bill No. 82	150 00
7, Senate Bill No. 37	127 38
7, Assembly Bill No. 555	75 00
7, Assembly Bill No. 574	6,343 13
7, Assembly Bill No. 597	1,000 00
7, Assembly Bill No. 617	7,500 00
7, Assembly Bill No. 618	2,500 00
7, Assembly Bill No. 95	67,000 00
7, Assembly Bill No. 411	7,500 00
7, Assembly Bill No. 662	2,390 00
7, Assembly Bill No. 663	100 00
7, Assembly Bill No. 664	1,551 98
7, Assembly Bill No. 665	2,500 00
7, Assembly Bill No. 666	450 00
7, Assembly Bill No. 667	600 00
9, Assembly Bill No. 94	2,478 60
9, Assembly Bill No. 417	18,000 00
9, Assembly Bill No. 630	17,000 00
9, Senate Bill No. 54	1,000 00
9, Assembly Bill No. 65	89 60
9, Assembly Bill No. 594	25,000 00
9, Assembly Bill No. 501	5,000 00
9, Senate Bill No. 11	25,000 00
10, Assembly Bill No. 598	1,300 00
10, Assembly Bill No. 476	5,000 00
10, Assembly Bill No. 477	5,000 00
10, Assembly Bill No. 607	10,000 00
10, Assembly Bill No. 610	7,500 00
10, Assembly Bill No. 661	40 00
10, Assembly Bill No. 105	
10, Assembly Bill No. 252	2,000 00
10, Assembly Bill No. 303	639 80
10, Assembly Bill No. 405	2,500 00
10, Assembly Bill No. 428	120 00
10, Assembly Bill No. 481	79 70
10, Assembly Bill No. 668	25,000 00
10, Assembly Bill No. 488	5,000 00

\$295,270 14

Bills Reported Unfavorably.

Feb. 7, Assembly Bill No. 616	\$15,000 00
10, Assembly Bill No. 15	83,700 00
10, Assembly Bill No. 449	3,000 00
10, Assembly Bill No. 561	50,000 00

Feb. 10, Senate Bill No. 21.....	\$5,000 00
10, Assembly Bill No. 174.....
10, Assembly Bill No. 415.....	2,000 00
	<hr/>
	\$158,700 00

Bills Reported Without Recommendation.

Feb. 10, Assembly Bill No. 340.....
7, Assembly Bill No. 208.....	\$20,000 00
6, Assembly Bill No. 573.....	10,000 00
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	\$30,000 00

Bills Referred to Other Committees.

Feb. 7, Assembly Bill No 542 referred to Committee on Roads and Highways -	\$60,000 00
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Bills Withdrawn.

Feb 6, Assembly Bill No. 418.....	\$10,000 00
7, Assembly Bill No. 544.....	259,595 30
10, Assembly Bill No. 155.....	5,000 00
10, Assembly Bill No. 503.....	15,000 00
10, Assembly Bill No. 657.....	570 78
10, Assembly Bill No 521.....	5,000 00
10, Assembly Bill No. 656.....	375 97
10, Assembly Bill No. 492.....	50,000 00
	<hr/>
	\$345,542 05

Recapitulation.

Total appropriations referred to this committee to date.....	\$2,634,496 50
Total appropriations reported favorably.....	695,943 46
Total appropriations reported unfavorably.....	348,570 00
Total appropriations referred to other committees.....	408,845 00
Total appropriations reported without recommendation.....	52,500 00
Total appropriations reported with recommendation that they be withdrawn.....	470,542 05
Total appropriations remaining in the hands of the committee.....	658,095 99

VALENTINE, Chairman.

Ordered printed in the Journal.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Constitutional Amendment No. 6—An Act to propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 1½, relating to the exemption from taxation of churches and chapels, and the real property on which they are situated—and respectfully ask your concurrence in the same.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Concurrent Resolution No. 6 referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: A motion recalling and asking the return of Assembly Bill No. 145 from the Assembly for the purpose of reconsidering the vote whereby the said bill was passed in the Senate, and respectfully ask that your honorable body return the same.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Mr. Johnson moved that the Senate's request be complied with.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for

the amount, and the time and manner of payment of, and making an appropriation to pay, the salaries of the chief deputy clerk, the deputy clerks, and the stenographer of the Clerk of the Supreme Court."

Also: Amended, and passed as amended, Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court."

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

THIRD-READING FILE.

Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time and manner of payment of, and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and the stenographers of the Clerk of the Supreme Court."

Mr. Belshaw moved that the Assembly concur in the following Senate amendment:

Amend by inserting on line 6 of Section 1, after the words "Supreme Court," the following: "other than of the stenographer."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Knights, Knowland, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Milce, Miller of San Francisco, Muentner, O'Brien, Raub, Rickard, Stewart, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—50.

NOES—Mr. Wright.

Assembly Bill No. 287 ordered to enrollment.

Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court."

Mr. Belshaw moved that the Assembly concur in the following Senate amendment:

Amend printed bill by striking out of Section 1 all of lines 4, 5, 6, 7, and 8, and inserting in lieu thereof the following: "Section 751. There shall be appointed by the Clerk of the Supreme Court six deputy clerks of the Supreme Court, one of whom shall be a stenographer; and there shall likewise be appointed, in addition thereto, a chief deputy clerk of said Supreme Court. The chief deputy clerk and deputy clerks of the Supreme Court shall be civil executive officers."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Caminetti, Cobb, Conrey, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Henry, Hoey, Huber, Jilson, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milce, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—49.

NOES—None

Assembly Bill No. 288 ordered to enrollment.

Mr. Dibble moved that the Assembly do now take up for consideration Assembly Bills Nos. 243 and 103.

So ordered.

Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Mr. Dibble moved that the Assembly concur in the following Senate amendments:

Amend by striking out the words "a building," on line 5, Section 1, page 1, printed bill, and inserting in lieu thereof the word "buildings."

Also: Amend by striking out the words "a building," on line 4, Section 2, page 1, printed bill, and inserting in lieu thereof the word "buildings."

Also: Amend by striking out "and furnishing such building," on lines 8 and 9, Section 2, page 1, printed bill, and inserting the words "such buildings."

Also: Amend by striking out the words "and furnishing said building," on line 16, Section 2, printed bill, and inserting in lieu thereof the words "said buildings."

Also: Amend by striking out the word "building," line 1, Section 3, page 2, printed bill, and inserting in lieu thereof the word "buildings."

Also: Amend by striking out the words "and furnishing of such building," on lines 5 and 6, Section 4, page 2, printed bill, and inserting in lieu thereof the words "of such buildings."

Also: Amend by striking out the words "and furnishing of such building," on lines 15 and 16, Section 4, page 2, printed bill, and inserting in lieu thereof the words "of such buildings."

Also: Amend by striking out the word "building," line 18, Section 4, page 2, printed bill, and inserting in lieu thereof the word "buildings."

Also: Amend by striking out the word "building," on line 1, Section 5, page 2, printed bill, and inserting the word "buildings."

Also: Amend by striking out the words "building is to," on line 7, Section 7, page 5, printed bill, and inserting the words "buildings are to"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Cobb, Conrey, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, E. D. Sullivan, White, Works, Wright, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 243 ordered to enrollment.

Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for nonuser of corporate powers.

Mr. Dunlap moved that the Assembly concur in the following Senate amendments:

Amend by inserting the word "may" before the word "be," on line 6, printed bill.

Also: Amend by striking out the words "and the same are hereby," on line 7, printed bill.

Also: Amend by striking out the period on line 7, page 1, printed bill, and inserting in lieu thereof the following: "by the judgment of a court of competent jurisdiction, on proper proceedings had therefor, the action on proceeding may be brought against said district by any persons owning lands therein. The summons shall be served upon a majority of the last elected and acting Trustees of the district, if living, if not living, then it may be served generally by publication."

Also: Amend by inserting a new section between Sections 1 and 2, to be numbered 2, as follows:

"All Acts and parts of Acts in conflict with this Act are hereby repealed"

Also: Amend by changing the figure "2," at the beginning of Section 2, to the figure "3."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Lardner, Lunquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 103 ordered to enrollment.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed on file.

Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Read third time, and passed on file.

Senate Bill No. 12—An Act to prevent the maintenance against the State or any officer thereof by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county or any officer thereof for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Rickard, Robinson, E. D. Sullivan, Wade, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Bill No. 32—An Act to amend Section 595 of the Civil Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Dibble, Dunlap, Feliz, Glenn, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, F. D. Sullivan, Wade, White, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Bill No. 65—An Act to add a new section to the Political Code, to be known as Section 793, relating to notaries public.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Crowly, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Dibble moved that the special order set for three o'clock and thirty minutes P. M. be continued until after the Assembly has finished the consideration of the Senate special file.

So ordered.

Mr. Dibble moved a call of the House.

Seconded by Messrs. Bliss and Works.

So ordered.

Pending roll call, Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 151—An Act for the relief of John N. E. Wilson, ex-Insurance Commissioner of the State of California, and of James D. Byrnes and Frank C. De Long, the bondsmen of said John N. E. Wilson, ex-Insurance Commissioner, and authorizing the Attorney-General of the State of California to enter satisfaction of judgment for the sum of \$4,063 82, in full settlement of the suit entitled "The People of the State of California, upon the complaint of E. P. Colgan, as Controller of said State, plaintiff, vs. John N. E. Wilson, Frank C. De Long, and James D. Byrnes, defendants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Cobb, Cosper, Crowly, Dibble, Dunlap, Feliz, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Muentner, O'Brien, Rickard, Eugene Sullivan, E. D. Sullivan, Wade, White, Wright, and Mr. Speaker—44.

NOES—Messrs. Barry, Burnett, Clough, Conrey, Cowan, Crowder, Dale, Fairweather, Glenn, Henry, Melick, Meserve, Miller of Los Angeles, Pierce, Robinson, and Works—16.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report back to the House Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessment in reclamation districts, and to provide for a hearing of the landowners before the Commissioner of Assessment, in relation to such assessment—without action, in pursuance to an order of the Assembly returning said bill to the Senate, at its request.

RICKARD, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Read second time.

Mr. Johnson moved that the House do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 11.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 11 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN: Your Committee of the Whole have had under consideration Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor—and do now report, with amendments, and recommend that it do pass as amended.

ANDERSON, Chairman.

Report adopted.

The following committee amendments were submitted:

Amend by striking out the words "obtaining the right of way for," on line 4, Section 1, first page of printed bill.

Amendment adopted.

Also: Amend by striking out the word "State," on line 5, Section 2, first page of printed bill, and inserting in lieu thereof the word "public"

Amendment adopted.

Also: Amend by striking out the words "in the same manner as is provided for other State highways," on lines 3 and 4, Section 4, second page of printed bill, and inserting in lieu thereof the following: "out of the General Fund of the fifty-first and fifty-second fiscal years"

Amendment adopted.

Senate Bill No. 11 ordered to print and third reading.

Senate Bill No. 66 (Substitute for Assembly Bill No. 357)—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

Senate Bill No. 133—An Act concerning registration for primary elections.

Read second time, and ordered to third reading.

Senate Bill No. 30—An Act concerning elections and providing for the election of delegates to nominating conventions of political parties at elections known and designated as primary elections

Read second time

Mr. Belshaw moved to amend as follows:

Amend by striking out the word "fifth" on line 20, Section 1371, page 7, printed bill, as engrossed, and inserting in lieu thereof the word "sixth"

Amendment adopted.

Also. Amend by inserting on line 15, after the words "his choice," Section 1374, page

9 of the engrossed printed bill, the words "*provided*, that there may be printed upon any such adhesive slip a designation of the convention to which delegates are to be elected and a statement indicating the choice of such delegates for any nomination for candidates for public office "

Mr. Dibble moved that the proposed amendments be printed in the Journal and the matter continued until to-morrow.

So ordered.

Mr. Miller of Los Angeles moved that Assembly Bill No. 698 be recalled from the Committee on Judiciary and re-referred to Committee on Commerce and Navigation.

So ordered.

Mr. Dibble moved that the special orders be continued until to-morrow.

So ordered.

Senate Bill No. 83—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Read second time.

The following committee amendment was submitted:

Amend by striking out after the word "number," on line 31, the words "when he resides in the city," and inserting in lieu thereof the words "where such designation by street and number can be given "

Amendment adopted.

Senate Bill No. 83 ordered to print and third reading.

Senate Bill No. 82—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 82.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 82 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 82—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report of committee adopted.

Senate Bill No. 82 ordered to print and third reading.

RECESS.

At four o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.

Speaker Anderson in the chair.

SPECIAL URGENCY FILE.

Senate Bill No. 379 (Substitute for Senate Bill No. 562)—An Act to

amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 64½, relating to elections, by providing for the punishment of offenses at primary elections.

Read second time, and ordered to third reading.

Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

Passed on file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Read third time, and passed on file.

At eight o'clock and twenty minutes P. M., the Speaker called Speaker pro tem. Dunlap to the chair.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Cargill, Cobb, Crowder, Dibble, Dunlap, Greenwell, Henry, Huber, Jilson, Johnson, Kelley, Knights, Knowland, Lardner, Lundquist, Marvin, McKeen, Melick, Merrill, Milice, Radcliff, Raub, Eugene Sullivan, Valentine, and Wade—31

NOES—Messrs. Brooke, Brown, Burnett, Caminetti, Clough, Conrey, Cosper, Cowan, Crowley, Dale, Feliz, Glenn, Hanley, Hoey, McDonald of Alameda, Mead, Merritt, Meserve, Miller of San Francisco, O'Brien, Rickard, Robinson, Stewart, White, and Works—25.

NOTICE OF RECONSIDERATION.

Mr. Rickard gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 322 was this day refused final passage.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Read third time.

Mr. Dibble moved that a select committee of one be appointed to amend Assembly Bill No. 395 as follows:

Strike out the abbreviated word "Sec" and the figure "2" after line 9 of the printed bill, and the abbreviated word "Sec." and the figure "3" on the second line from the bottom of the printed bill, and renumber the lines of the printed bill.

So ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 395 ordered to print, engrossment, and third reading.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the

elective franchise, said sections to be numbered 63 and 63½, respectively.

Read third time.

Mr. Dibble moved that a select committee of one be appointed to amend Assembly Bill No. 349 as follows:

Amend Section 1 by adding the following after the word "felony," in line 16 of said Section 1:

"The advancing, giving, or loaning of money or property, or the promise to advance, give, or loan money or property to any candidate for the Legislature, by any candidate for Senator, as aforesaid, or by any person for him, or on his behalf, as aforesaid, shall be deemed prima facie proof of an express or implied agreement that such candidate for the Legislature, or candidate for nomination for the Legislature, will, if elected to the Legislature, vote for such candidate for Senator in Congress."

Also: Amend Section 2 by inserting after the word "that," in line 13 of said Section 2, printed bill, the words "such member-elect of the Legislature or"

Also: Amend Section 2 by adding after the word "felony," in line 17 of said Section 2, printed bill, the following: "the receipt of money or property by any member-elect of the Legislature, and by any candidate for the Legislature, and by any candidate for nomination for the Legislature, from any candidate before the Legislature for Senator in Congress at an approaching session of the Legislature, as aforesaid, or from any person acting for or on behalf of any such candidate for Senator in Congress, as aforesaid, shall be prima facie proof of an express or implied agreement that such member-elect of the Legislature will vote for such candidate for Senator, as aforesaid, and that such candidate, or candidate for nomination for the Legislature will, if elected, vote for such candidate for Senator, as aforesaid."

So ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Mr. Belshaw moved that a select committee of one be appointed to amend Assembly Bill No. 349 as follows:

Amend by striking out of Section 1, line 3, the words "person intending to become a"

Also: In lines 5 and 6, the words "person intending to become a."

Also: In line 13, the words "person intending to become a"

So ordered.

Mr. Belshaw was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR. SPEAKER. Your select committee of one, to whom was referred Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BELSHAW, Committee.

Report adopted.

Assembly Bill No. 349 ordered to print, engrossment, and third reading.

Assembly Bill No. 141—An Act providing for the use of separate ballot-boxes for each political party at primary elections.

Passed on file.

Assembly Bill No. 143—An Act to amend Section 1186 of the Political Code, relating to conventions.

Passed on file.

Assembly Bill No. 648 (Substitute for Assembly Bill No. 144)—An

Act adding two new sections to the Political Code of this State, to be numbered 1118 and 1119, concerning elections, and providing for registration for primary elections.

Mr. Dibble moved that the enacting clause of Assembly Bill No. 648 be stricken out.

So ordered.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed on file.

Assembly Bill No. 636 (Substitute for Assembly Bill No. 451)—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization and reorganization of committees to represent political parties.

Passed on file.

Assembly Bill No. 451—An Act providing for the organization and reorganization of political parties and committees in certain cases of disorganization.

Withdrawn by author.

Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Blood, Boynton, Brown, Cargill, Cobb, Cosper, Crowder, Crowley, Dale, Dibble, Dunlap, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, White, and Works—46.

NOES—Messrs. Brooke, Clough, Conrey, Cowan, and Robinson—5.

Title read and approved.

Assembly Bill No. 348—An Act to amend Sections 1 and 2 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Passed on file.

Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Boynton, Brooke, Brown, Caminetti, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, White, and Works—52.

NOES—None.

Title read and approved.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Mr. Valentine moved that the enacting clause of Assembly Bill No. 127 be stricken out.

Motion lost.

Passed on file.

Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read second time.

Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor.

Read second time.

Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

Read second time.

Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works for the forty-eighth fiscal year.

Read second time.

Mr. Johnson moved that the Assembly do now go into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bills Nos. 39, 411, 326, and 662.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 39, 411, 326, and 662 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institution for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State—and do now report the same back, with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works for the forty-eighth fiscal year—and do now report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek—and do now report the same back, and recommend that the same do pass.

DUNLAP, Chairman.

Report adopted.

Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street laws of this State.

The following committee amendment was submitted:

Amend by striking out the words "which said claim has been duly approved by the State Board of Examiners of this State," on lines 11, 12, and 13, page 2, printed bill.

Amendment adopted.

Assembly Bill No. 39 ordered to engrossment and third reading.

Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all of Section 4, and renumbering Section 5 to read No. 4, page 2, printed bill.

Amendment adopted.

Assembly Bill No. 411 ordered to engrossment and third reading.

Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

Ordered to engrossment and third reading.

Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works for the forty-eighth fiscal year.

Ordered to engrossment and third reading.

Assembly Bill No. 479—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 1204, 1211, and 1260 thereof, relating to elections.

Withdrawn by author.

Assembly Bill No. 142—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Passed on file.

Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita.

Read second time.

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 353.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 353 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita—and do now report the same back, with amendments, and recommend that the same do pass as amended.

DUNLAP, Chairman.

Report adopted.

Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita.

The following committee amendments were submitted:

Amend by striking out of line 18, Section 1, printed bill, the word "seventy" and inserting in lieu thereof the words "fifty-five."

Amendment adopted.

Also: Amend by striking out the words "and two" in line 1, Section 1, page 1, printed bill.

Amendment adopted.

Also: Amend by striking out the word "are" in line 10, Section 1, page 2, printed bill, and inserting in lieu thereof the word "is"

Amendment adopted.

Also: Amend by inserting the following words after the word "home," in line 17, page 2 of the printed bill: "or proportionate amount thereof for any less than one year that such inmate may be an inmate of such home."

Amendment adopted.

Also: Amend by inserting after the word and figure "Section 2," the following: "Section 2 of this Act is hereby amended so as to read as follows."

Amendment adopted.

Also: Amend by striking out the figure "2," on line 1, Section 2, page 2 of the printed bill, and inserting in lieu thereof the figure "3."

Amendment adopted.

Mr. Dibble moved to amend as follows:

Amend title by striking out of printed bill, line 6, the word "to," after the word "increase," and inserting in lieu thereof the word "in"

Amendment adopted.

Also: Amend title by striking out the period after the last word in the title, and inserting the following after the last word in the title: "but increasing said appropriation in the aggregate."

Amendment adopted.

Assembly Bill No. 353 ordered to print, engrossment, and third reading.

Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filter, and lay pipes in the Capitol grounds.

Read second time.

Mr. Kennecally moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 617.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 617 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filter, and lay pipes in the Capitol grounds—and do now report the same back with amendments, and recommend that the same do pass as amended.

DUNLAP, Chairman.

Report adopted.

The following amendments were submitted:

By the committee:

Amend by striking out all of Section 4 and renumbering Section 5 to read "Section 4," page 2, printed bill.

Amendment adopted.

By Mr. Johnson:

Amend by adding to the last word of title the words: "and making an appropriation therefor."

Amendment adopted.

Assembly Bill No. 617 ordered to print, engrossment, and third reading.

Assembly Bill No. 557—An Act to amend Section 1186 of the Political Code of the State of California, defining political conventions.

Passed on file.

Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

Passed on file.

Assembly Bill No. 128—An Act making an appropriation for the

erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same, for the transfer of prisoners thereto and government of the inmates thereof.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 128.

So ordered

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 128 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof—and do now report the same back, with amendments, and recommend that the same do pass as amended.

DUNLAP, Chairman

Report adopted.

Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "an insane," where they occur in line 8 of Section 6 of page 3 of the printed bill, and inserting in lieu thereof the words "a sane."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "and it shall not be necessary to obtain the approval or sanction of any other board or officers or person of said plans, descriptions, bills of materials, specifications, or estimates," where they occur in lines 8, 9, 10, and 11 in Section 4, page 2 of the printed bill, and inserting in lieu thereof the words "and such plans, descriptions, bills of materials, specifications, and estimates must be approved by the State Board of Examiners before the same can be effective."

Amendment adopted.

AMENDMENT No. 3.

Amend by adding after the word "State." in line 9 of Section 2, page 2 of the printed bill, as follows, viz.: "Board of Prison Directors, and no contract shall be let until approved by the State Board of Prison Directors and the State Board of Examiners."

Amendment adopted.

Assembly Bill No. 128 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. Kelsey, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, February 14, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 14, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr Speaker—75

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Melick.

The Journal of Saturday, February 11, 1899, was read and approved.

PETITION.

Presented by Mr. Milice, relative to the disorganization of irrigation districts, signed by forty-one voters and taxpayers of San Jacinto and Pleasant Valley Irrigation District.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 251—An Act to amend Section 1369 of the Code of Civil Procedure, relating to the appointment of administrators of deceased persons.

Also: Assembly Bill No. 472—An Act to amend Section 1379 of the Code of Civil Procedure, relating to administration of estates of deceased persons.

Also: Assembly Bill No. 473—An Act to amend Section 1618 of the Code of Civil Procedure of the State of California, relating to estates of deceased persons.

Also: Assembly Bill No. 474—An Act to amend Section 1729 of the Code of Civil Procedure of the State of California, relating to Public Administrators

Also: Assembly Bill No. 496—An Act to amend Section 1369 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Report the same back, and recommend that they do not pass

Also: Assembly Constitutional Amendment No. 6—Proposed amendment to Article XIII, relative to exempting from taxation churches and chapels—report the same back, and recommend that the Assembly non-concur in the Senate amendment, and request of the Senate the appointment of a committee of conference on the disagreeing vote of the two houses, and that the Assembly appoint a committee of conference.

Also: Assembly Bill No. 14—An Act providing for liens upon horses and other animals for the cost of shoeing the same—report the same back, and a majority recommend that it do not pass; a minority recommend its passage

Also: Assembly Bill No. 718—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions for libel and slander—report the same back, and recommend its passage, and also recommend that it be adopted as a substitute for Assembly Bill No. 462—No. 112 on the file—and that it take the place of said Assembly Bill No. 462 on the file

Also: Assembly Bill No. 682—An Act to amend Section 2655 of the Political Code, relating to highway taxes—report the same back, and recommend its passage.

Also: Assembly Bill No. 570—An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity—report the same back, with an amendment, and recommend its passage as amended.

Also: Assembly Constitutional Amendment No. 15—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of California, relating to the free exercise and enjoyment of religious worship—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship—report the same back without recommendation.

Also: Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any and all moneys or assets for which such sureties are or may be held responsible.

Also: Assembly Bill No. 306—An Act amending the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Report the same back, and recommend that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 251, 472, 473, 474, 496, 14, 682, 570, 305, and 306 ordered on second-reading file.

Assembly Constitutional Amendments Nos. 15 and 16 ordered on special file.

Mr. Johnson moved that Assembly Bill No. 718 take the place on file of Assembly Bill No. 462.

So ordered.

Mr. Johnson moved that the Assembly do now consider Assembly Constitutional Amendment No. 6.

So ordered.

Mr. Johnson moved that the Assembly do now non-concur in the Senate Amendment to Assembly Constitutional Amendment No. 6, and that the Speaker appoint a committee of three on conference, and the Senate be notified of the action of the Assembly, and it be requested to appoint a similar committee.

So ordered.

The Speaker appointed as such Conference Committee, Messrs. Johnson, Works, and Boone.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO. February 14, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor—have had

the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended, and that the same be referred to Committee on Ways and Means.

WADE, Chairman.

Assembly Bill No. 54 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Ways and Means, having introduced an Act to provide for the payment of the claim of B. A. Johnson, for a balance due on supplies furnished the National Guard, and making an appropriation therefor, have had the same under consideration, and respectfully recommend that it do pass.

Also: Assembly Bill No. 622—An Act to amend an Act entitled "An Act to appropriate money for the support of orphans, half-orphans and abandoned children," approved March 25, 1880.

Also: Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley, for the arrest of Ygnacio Eisler for attempted highway robbery.

Also: Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Phesch, for money due and owing to the said Theodore Phesch from the State of California.

Also: Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State Volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor, if successful.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 3—A bill appointing Thomas M. Noster, John Mullan, and James W. Shanklin agents of this State to collect from the United States all moneys by her advanced and paid for the benefit of the United States in connection with the volunteers of this State mustered into the military service of the United States during the Rebellion, including all expenses incurred by this State in consequence of the Rebellion, and allowing compensation therefor in the event of success.

Also: Assembly Bill No. 175—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States, existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States, in the suppression of said insurrection, which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents; defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same.

Also: Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Also: Assembly Bill No. 690—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VALENTINE, Chairman.

Assembly Bill Nos. 622, 345, 642, 651, 199, 3, 175, 314, 690, and Senate Bill No. 54 ordered on second-reading file.

Assembly Bills Nos. 3 and 175 withdrawn by authors.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Substitute for Senate Bill No. 277—An Act to ascertain and pay armory rents, armors' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service; also, the expenses incurred in reorganizing the National Guard and to result therefrom; and making an appropriation to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

HENRY, Chairman.

Senate Bill No. 277 ordered on second-reading file.

At ten o'clock and ten minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

ON JUDICIARY—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: The undersigned members of your Committee on Judiciary, to which was referred Assembly Bill No. 14, do hereby present our minority report, and recommend that said bill do pass

DIBBLE.
WORKS
JOHNSON.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 19—Relative to irrigation of the Colorado Desert and lands adjacent and contiguous thereto, and other lands—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

DALE, Chairman

Assembly Joint Resolution No. 19 ordered on third-reading file.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred engrossed Senate Bill No. 95—An Act to amend Section 1186 of the Political Code, relating to conventions—have had the same under consideration, and respectfully report the same back, and recommend that the same as amended do pass.

Also: Assembly Bill No. 323—An Act to provide for the nomination of candidates for public office, and the transaction, settlement, and control of certain affairs of political parties or organizations, by and through political conventions composed of delegates chosen at general primary elections, or their proxies, and to regulate the conduct of such elections, and define and provide for definite political committees to cooperate therein, and to enforce said method of making such nominations—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw same

BELSHAW, Chairman.

Senate Bill No. 95 ordered on Senate special file.

Assembly Bill No. 323 withdrawn by author.

At ten o'clock and twenty minutes A. M., the Speaker resumed the chair.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 13, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 49—An Act to amend Sections 1083, 1091, 1095, 1096, 1097, 1101, 1103, 1105, 1113, 1115, 1116, 1130, 1204, and 1261, and to repeal Sections 1098, 1099, 1100, 1104, and 1114 of the Political Code.

E. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 49 ordered to Committee on Election Laws.

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 45—An Act to provide for the

alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Also: Passed Substitute for Assembly Bill No 30—An Act to amend Sections 2579, 2588, 2589, 2590, 2591, and 2605 of the Political Code, approved March 12, 1872, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Also: Assembly Bill No. 301—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by amending Sections 1 and 2 thereof.

Also: Amended, and passed as amended, Assembly Bill No 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequent incorporated city or town.

Also: Assembly Bill No 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Also: Assembly Bill No 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

And respectfully request that you concur in the Senate amendments

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Mr. Knowland moved that the Assembly do now concur in the following Senate amendments:

Amend by inserting after the word "by" in Section 1, line 24, the words "the owners of any single tract of land exceeding five acres in area or by"

Also. Amend by inserting after the word "annexed" in Section 1, line 28, the words "or the owners of any single tract of land exceeding five acres in area"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Fairweather, Glenn, Greenwell, Henry, Hoey, Huber, Johnson, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of San Francisco, Muenster, O'Brien, Pierce Radcliff, Raub, Raw, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 45 ordered to print, reëngrossment, and enrollment.

Substitute for Assembly Bill No. 30, and Assembly Bill No. 301, ordered to enrollment.

Assembly Bill No. 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Mr. Conrey moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out the figure "7," on page 4, and inserting the figure "6."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Chynoweth, Cobb, Conrey, Cowan, Crowder, Crowley, Devoto, Dibble, Glenn, Henry, Hoey, Johnson, Kenneally, Knights, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—46
NOES—None.

Assembly Bill No. 302 ordered to print, reëngrossment, and enrollment.

Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Mr. Mead moved that the Assembly do now concur in the following Senate amendments:

AMENDMENT No 1

Amend by striking out the word "conclusive," on line 120, Section 3, sixth page, printed bill, and inserting in lieu thereof the words "prima facie."

AMENDMENT No. 2.

Amend by striking out the word "hereinafter," on line 51, seventh page, printed bill, and inserting in lieu thereof the word "herein."

AMENDMENT No. 3.

Amend by striking out the words "three dollars," on line 121, ninth page, printed bill, and inserting in lieu thereof the words "fifty cents."

AMENDMENT No 4

Amend by striking out the words "three dollars," on line 123, ninth page, printed bill, and inserting in lieu thereof the words "fifty cents."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Fairweather, Glenn, Henry, Hoey, Johnson, Kenneally, Knights, La Barea, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Stewart, Valentine, Wade, Works, and Mr. Speaker—48.
NOES—None

Assembly Bill No. 273 ordered to print, reengrossment, and enrollment.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Pending the following committee amendments, the matter was continued until Wednesday, February 15, 1899:

Amend by striking out all the words after the word "war," on line 13, Section 2; all of lines 14, 15, and 16, Section 2, and the words "which he shall labor more than eight hours," on line 17, Section 2.

Also: Amend by striking out of Section 2 lines 17 to 32

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining claims—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBINSON, Chairman.

Assembly Bill No. 325 ordered on second-reading file.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MUENTZER, Chairman.

Assembly Bill No. 237 ordered on second-reading file.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 49—An Act to amend Sections 1083, 1094, 1095, 1096, 1097, 1101, 1103, 1105, 1113, 1115, 1116, 1130, 1204, 1261, and to repeal Sections 1098, 1099, 1100, 1104, 1114 of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BELSHAW, Chairman

Senate Bill No. 49 ordered on second-reading file.

RESOLUTIONS.

By Mr. Clark:

Resolved, That the State Printer be and he is hereby instructed and directed to immediately transmit to this House the printed Assembly Constitutional Amendment No. 23.

Resolution adopted.

By Mr. Henry:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$682 10, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per attached vouchers:

Hale Bros.....	\$1 00
Sacramento Planing Mill.....	41 75
Buffalo Ice Company.....	18 75
John Breuner.....	30 00
W. O. Banks.....	6 00
United Typewriter and Supplies Company.....	34 00
United Typewriter and Supplies Company.....	6 00
F. M. Jones.....	3 50
H. S. Crocker & Co.....	230 00
Capital Transfer Company.....	2 25
John Breuner.....	105 75
John Breuner.....	113 50
Capital Water Company.....	26 00
Capital Electric Works.....	63 60
	<hr/>
	\$682 10

Referred to Committee on Ways and Means.

MOTION.

Mr. Rickard moved that the order made heretofore sending Assembly Bills Nos. 287, 288, 243, and 103 to enrollment be reconsidered, and that the order be now made sending Assembly Bills Nos. 287, 288, 243, and 103 to rengrossment and enrollment.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Committee on Ways and Means: Assembly Bill No. 778—An Act

providing for the payment of the claim of B. A. Johnson for a balance due on supplies furnished the National Guard, and making an appropriation therefor.

Read first time, and placed on second-reading file.

By Mr. Belshaw: Assembly Bill No. 779—An Act to amend Section 667 of the Penal Code of the State of California, relating to second offenses after conviction of former offenses.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 780—An Act to amend Section 647 of the Penal Code of the State of California, relating to vagrants.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 781—An Act to amend Section 1111 of the Penal Code of the State of California, relating to the testimony of accomplices.

Read first time, and referred to Committee on Judiciary.

By Mr. Raub: Assembly Bill No. 782—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 783—An Act making an appropriation to pay the claim of William O'Brien, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Glenn: Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Schorn, proprietor of the Daily Willows Journal, for advertising the constitutional amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 785—An Act to provide for the payment of \$200 to N. K. Spect, proprietor of the Willows Promoter, for the advertising of constitutional amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Kenneally: Assembly Bill No. 786—An Act making an appropriation to pay the expenses of receiving the First Regiment of California Volunteers upon their return from the Philippine Islands.

Read first time, and referred to Committee on Ways and Means.

By Mr. Radcliff: Assembly Bill No. 787—An Act to establish uniform rates to be charged by any company or corporation doing business within municipal corporations exceeding 50,000 inhabitants in the State of California, for furnishing electric lights to inhabitants thereof, and establishing the method of fixing said rates.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Fairweather: Assembly Bill No. 788—An Act to repeal an Act to promote the horticultural interests of the State, by providing County Boards of Horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891; said Act approved March 31, 1897. (Statutes of 1897; Chapter CCXXXIII.)

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Chynoweth: Assembly Bill No. 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States volunteer service in the Spanish-American war of 1898,

their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California.

Read first time, and referred to Committee on Military Affairs.

By Mr. Le Baron: Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Cobb (by request): Assembly Bill No. 791—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dunlap: Assembly Bill No. 792—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Muentert: Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning buildings, and other property not subject to arson, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Robinson: Assembly Bill No. 794—An Act to amend Section 225 of the Code of Civil Procedure of the State of California, relating to the summoning of grand and trial jurors for courts of record.

Read first time, and referred to Committee on Judiciary.

By Mr. Mead: Assembly Bill No. 795—An Act to provide for the payment of \$125 to F. B. Colver, proprietor of the Labor World, for publishing constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 796—An Act to provide for the payment of \$51 to C. H. Eberle, proprietor of the Downey Champion, for advertising the constitutional amendments, and to make appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Cowan: Assembly Bill No. 797—An Act providing for the allowance and payment of the claim of R. E. Baer against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 798—An Act providing for the allowance and payment of the claim of H. H. Granice, of the Sonoma Index-Tribune, against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassidy, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 800—An Act providing for the allowance and payment of the claim of F. W. Cooke against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 801—An Act providing for the allowance and payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 802—An Act providing for the allowance and payment of the claim of the Press-Democrat Publishing Company against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas M. Merrihan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Boone: Assembly Bill No. 804—An Act to appropriate the sum of \$630 to pay the claim of Ben M. Maddox, for money due and owing the said Ben M. Maddox from the State of California.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 805—An Act to appropriate the sum of \$300 to pay the claim of F. V. Dewey, for money due and owing the said F. V. Dewey from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Atherton: Assembly Bill No. 806—An Act making an appropriation to pay the claim of the Marin County Tocsin, for advertising the constitutional amendments for the year 1899.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 807—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroners' inquests held on the body of any person confined in such prisons and schools.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Valentine: Assembly Bill No. 808—An Act to amend Sections 1915, 1917, and 1920 of the Civil Code, relating to legal rate of interest.

Read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of Town Talk Publishing Company against the State of California, and making appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Crowder: Assembly Bill No. 810—An Act to establish uniform rates to be charged for telephone instruments and telephone service in this State, and declaring a penalty for the violation of the provisions thereof.

Read first time, and referred to Committee on Corporations

MOTIONS.

Mr. Cobb moved that Assembly Bill No. 703 be recalled from the Committee on Roads and Highways and referred to Committee on Municipal Corporations.

Mr. Atherton moved that Assembly Bill No. 807 be recalled from the Committee on Ways and Means and referred to Committee on State Prisons and Reformatory Institutions.

Mr. Merritt moved that the Assembly do now consider Assembly Concurrent Resolution No. 13.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Approving the Charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California; voted for and ratified by the qualified voters of said city at a special election held therein for that purpose on the 20th day of September, 1898.

WHEREAS, The City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, is now, and was at all times herein referred to, a city containing a population of more than 3,500 inhabitants, and less than 10,000 inhabitants; and

WHEREAS, At a general municipal election duly held in said city on Monday, April 4, 1898, under and in accordance with law and the provisions of Section 8 of Article XI of the Constitution of said State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city; and

WHEREAS, The same was, on the 30th day of June, 1898, signed in duplicate by all the members of said board of fifteen freeholders, and was, on said last-named day, returned, one copy thereof to the Mayor of said city, and the other to the County Recorder of Santa Barbara County; and

WHEREAS, Such proposed charter, together with the two alternative propositions, were then published in one daily newspaper of general circulation in said city, to wit, the Morning Press, for more than twenty days, and the first publication was made within twenty days after the completion of said charter; and

WHEREAS, Within less than thirty days after the completion of said charter, as required by said Section 8, Article XI of said Constitution, to wit, on the 20th day of September, 1898, said charter and said alternative propositions were submitted by the legislative authority of said City of Santa Barbara, to wit: the Mayor and Common Council thereof, to the qualified electors of said city, at a special election previously duly called, and then held therein, for the purpose of ratifying or rejecting said proposed charter, and for adopting or rejecting alternative proposition No. 1, or alternative proposition No. 2, published with said charter, and presented with said charter for the choice of said voters, and to be voted on separately, said alternative proposition being as follows:

Alternative Proposition No. 1.

Section 18. The Mayor shall be entitled to receive as his compensation for all his official duties the sum of \$600 per annum, and each member of the Council be entitled to receive for his services the sum of \$360 per annum.

Alternative Proposition No. 2.

Section 18. The Mayor and members of the Council shall receive no compensation whatever for their services; and

WHEREAS, The returns of said election were duly canvassed by the said Mayor and Common Council of said City of Santa Barbara, at a meeting held on the 26th day of September, 1898 (which such meeting was duly convened); and

WHEREAS, At said special election, a majority of such qualified electors of said city, voting at such special election, voted in favor of a ratification of such charter, as proposed as a whole; and alternative proposition No. 1 (allowing compensation to the Mayor and Council), was also ratified at the same time and in the same manner, and received a majority of the votes of the qualified electors of said city, voting at such special election, and thereupon became Section 18 of Article III of said proposed charter, said alternative proposition No. 2 being rejected, and failing to receive a majority of the votes cast by the electors at such special election; and

WHEREAS, Said Mayor and Common Council, after canvassing said returns, duly found and declared that a majority of such qualified electors, voting at such special election, had voted for and ratified said charter, and had also voted for, adopted and ratified said alternative proposition No. 1; and

WHEREAS, Said charter as so constituted by its ratification as a whole, and by the ratification of said alternative proposition No. 1, is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of said State; and

WHEREAS, The said charter so ratified is in words and figures following, to wit:

CHARTER FOR THE CITY OF SANTA BARBARA.

Prepared and proposed by the Board of Fifteen Freeholders, elected April 4, 1898, in pursuance of the provisions of Section 8, Article XI, of the Constitution of the State of California.

ARTICLE I.

BOUNDARIES AND WARDS, RIGHTS AND LIABILITIES, AND CORPORATE POWERS.

SECTION 1. The municipal corporation now existing, known as the City of Santa Barbara, shall continue to be a municipal corporation under the name of "City of Santa Barbara," and its territory shall continue to consist of the same territory that is contained within its present boundaries, to wit: Commencing at the southwest intersection of Robbins and Mission streets, thence running northeast on the westerly line of Mission Street to the northern boundary of the pueblo lands of Santa Barbara, as established by the final survey and patent of said lands by the Government of the United States; thence easterly on the said boundary line to a point opposite the easterly line of Salinas Street; thence southeast along the course of Salinas Street to the intersection of Salinas and Carpenteria streets, thence along the easterly line of Salinas Street to a point in the Santa Barbara Channel, one half mile distant from the shore; thence westerly, parallel with and one half mile distant from the shore, to a point opposite the southwest line of Robbins Street; thence northwest, following the direction of the southwest line of Robbins Street, to place of beginning. Said boundaries may be changed and other territory added to the city in such manner as may be provided by law.

SEC 2. The City of Santa Barbara is hereby divided into seven wards, numbered consecutively from one to seven, inclusive, the respective boundaries of which shall be as follows, to wit:

1. The First Ward shall embrace all that portion of the city which is situated southeast of the middle line of Cota Street and northeast of the middle line of Anacapa Street.

2. The Second Ward shall embrace all that portion of the city which is situated southeast of the middle line of Cota Street and southwest of the middle line of Anacapa Street.

3. The Third Ward shall embrace all that portion of the city which is situated between the middle line of Cota Street, the middle line of Cañon Perdido Street, and northeast of the middle line of State Street.

4. The Fourth Ward shall embrace all that portion of the city which is situated between the middle line of Cota Street, the middle line of Cañon Perdido Street, and southwest of the middle line of State Street.

5. The Fifth Ward shall embrace all that portion of the city which is situated between the middle line of Cañon Perdido Street, the middle line of Sola Street, and northeast of the middle line of State Street.

6. The Sixth Ward shall embrace all that portion of the city which is situated between the middle line of Cañon Perdido Street, the middle line of Sola Street, and southwest of the middle line of State Street.

7. The Seventh Ward shall embrace all that portion of the city which is situated northwest of the middle line of Sola Street.

SEC 3. 1. The said City of Santa Barbara shall continue to have, hold, and enjoy all property, real and personal, archives, records, revenue, rights of property, and rights of action of every nature and description, belonging or appertaining to the present City of Santa Barbara; and it shall be subject to all the obligations and duties of the existing municipality.

2. Suits, actions, and proceedings may be brought in the name of the corporation for the recovery of any property, money, or thing belonging thereto, in law or equity, or dedicated to public use therein, or for the enforcement of any rights of, or contracts with, said corporation, whether made or arising or accrued before or after the adoption of this charter; and all existing suits, actions, and proceedings in the county or elsewhere, to which said corporation is a party, shall continue to be carried on by or against said corporation.

SEC 4. Said corporation shall have power:

1. To make and use a corporate seal and the same to alter at pleasure.

2. To sue and defend in all actions and proceedings whatever.

3. To have perpetual succession.

4. To acquire, receive, hold, and enjoy real and personal property within and without its territory, necessary or convenient for municipal purposes, or for the exercise of the powers granted to said corporation, and sell, convey, and dispose of the same for the common benefit.

5. To receive bequests and gifts of all kinds of property, either within or without its corporate territory, in fee simple, or in trust for charitable or other public purposes, and do all acts necessary to carry out the purposes of such gifts, bequests or trusts.

6. And in addition to such other powers as are enumerated in Section 43, in Article IV of this charter, to be delegated for their exercise to the Council, it shall have power upon a two thirds affirmative vote of the electors thereof:

(a) To create indebtedness not exceeding in all ten per cent of the assessed valuation of the property of the inhabitants of the territory of the corporation made for the purposes of taxation.

(b) To levy taxes exceeding the limit permitted in this charter to be levied by the Council.

(c) And it shall have power, upon the majority vote of the electors thereof, to levy special taxes to establish and maintain kindergarten, manual training, and high schools, and to erect school buildings.

ARTICLE II.

OFFICERS AND ELECTIONS.

SEC. 5. Elections to be held in said city, for the purpose of electing officers of said city, and for all other purposes, are of two kinds:

First.—General municipal elections.

Second.—Special municipal elections.

SEC. 6. General municipal elections shall be held biennially, on the first Tuesday in December, commencing with the first Tuesday in December, 1899.

SEC. 7. At each general election there shall be elected a Mayor, seven members of the Council, City Clerk (who shall be ex officio Auditor and Assessor), City Treasurer (who shall be ex officio City Tax Collector), Police Judge, City Attorney, School Trustees as hereinafter provided, and five Trustees of the Public Library.

SEC. 8. The non-elective officers of the City of Santa Barbara shall consist of a Chief of Police and a City Engineer, who shall be ex officio Superintendent of Streets.

SEC. 9. All general and special municipal elections shall, in all respects as nearly as may be, be held and conducted in accordance with the provisions of the law of the State for the holding of general elections in effect at the time, and the Council shall make all the necessary arrangements for holding said elections in accordance therewith.

SEC. 10. The Council of said city shall, by ordinance, order the holding of elections. Such ordinance shall specify the objects and time of, and the place or places within the limits of each ward for holding such election, and the names of the inspectors, judges of election, clerks, and ballot clerks for each ward, or precincts of each ward, as the case may be, who must be residents thereof, to conduct the holding of and make returns of such election. Said ordinance shall be published daily in some daily newspaper printed and published in said city, for at least fifteen days next before the time appointed for the holding of the election.

SEC. 11. Returns of all elections shall be made to the Council, who shall, within ten days thereafter, either at a regular or special meeting, and in accordance with the laws of the State, canvass the returns, and declare the result thereof, and order certificates of election to be issued by the City Clerk to the persons so declared elected.

SEC. 12. The officers elected at a general municipal election, except School Trustees, who are hereinafter provided for, shall, after they have qualified as provided for in this charter, enter upon the duties of their respective offices on the first Monday in January next succeeding their election, and shall hold office for the term of two years, and until their successors are elected and qualified. Officers elected at any special election to fill a vacancy shall after qualifying as herein provided, enter at once upon the duties of their offices, and shall hold office for the remainder of the term and until their successors shall have been elected and qualified.

SEC. 13. The present officers of the city shall continue to hold and exercise their respective offices until the first Monday in January, 1900, and thereafter until the election or appointment and qualification of the first officers to be elected or appointed under this charter.

SEC. 14. In establishing election precincts, the Council shall make them correspond with the wards into which the city is divided; *provided*, that the Council may divide any ward into two or more precincts.

SEC. 15. Only such persons residing in the city whose names appear upon the Great Register of Santa Barbara County at the time of any municipal election shall be entitled to vote at such election; and to this end and extent, said Great Register is hereby adopted as the register of voters in and for the city.

SEC. 16. The qualifications of an elector at any election held in said city in pursuance of this charter shall be the same as those prescribed by the laws of this State for electors at any general State election in force at the time of such election.

SEC. 17. The certificate of election issued by the City Clerk must be authenticated with the seal of the city and attested by the City Clerk. No other authentication shall be necessary.

ARTICLE III.

SALARIES, BONDS, AND QUALIFICATIONS OF OFFICERS.

SEC. 18. (This section shall be in the language of whichever alternative proposition shall be adopted by the vote of the people at the election at which this charter is submitted.)

SEC. 19. The other officers and employes of the city shall receive compensation as follows:

City Clerk, and as Auditor, \$900 per annum, and for his compensation as Assessor, \$75 per month for four months each year, commencing with the month of March.

City Engineer, for all services as such, and as Superintendent of Streets, \$1,200 per annum.

Chief of Police, \$1,000 per annum.

City Attorney, \$1,200 per annum.

Police Judge, such fees as are now or may hereafter be provided by law for Justices of the Peace in the County of Santa Barbara for similar services.

Treasurer, \$300 per annum and an additional compensation as Tax Collector of \$300 per annum, and five per cent on all license taxes collected.

School Trustees and Trustees of the Free Public Library shall receive no compensation whatever for their services as such trustees; *provided*, that the Secretary of the Board of

Education may receive a compensation for his services as such secretary, to be fixed by said board, at not exceeding \$20 per month.

SEC 20. The salaries of all other officers, and compensation of all employes other than those herein named, except where otherwise expressly provided in this charter, shall be fixed by ordinance by the Council.

SEC 21. All salaries shall be payable in equal monthly installments, except as herein otherwise provided.

SEC 22. Every officer provided for in this charter shall, within ten days after receiving his certificate of election or appointment, qualify by filing a bond as hereinafter provided, and by taking and subscribing to the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the State of California, and that I will faithfully discharge the duties of the office of (insert name of office) according to the best of my ability."

SEC 23. The following-named officers shall execute to the City of Santa Barbara bonds in the following sums, respectively, conditioned for the faithful discharge by them of the duties of their respective offices, and the following sums, respectively, to wit:

City Clerk (ex officio Auditor and Assessor), \$5,000.

Treasurer and Tax Collector, \$40,000

City Attorney, \$5,000.

City Engineer, \$5,000.

Chief of Police, \$5,000

Police Judge, \$500.

The bonds of all officials, after approval by the City Attorney as to form, shall be approved by the Mayor and Council.

All such bonds shall be executed by at least two sureties for the full amount of the bond; *provided*, that any corporation authorized by the laws of this State to become surety on official bonds shall be accepted as sole and sufficient surety upon such bonds; *and provided further*, that when the penal sum of any bond herein required to be given amounts to more than \$1,000, the sureties may become severally liable for portions of not less than \$500 thereof, making in the aggregate at least two sureties for the whole penal sum.

The bond of the City Clerk shall be filed with the Mayor, and all other bonds shall be filed with the City Clerk.

SEC 24. The Council may, by ordinance, increase the amount of the bond hereby required from any officer, but may not decrease the same, and may require a bond to be given by any officer not herein required to give a bond, and may fix its amount.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

SEC 25. The legislative power of the City of Santa Barbara shall be vested in a Council of seven members, whose term of office shall be two years; *provided*, that such legislative power shall be exercised subject to the veto power of the Mayor, and to his right to the casting vote in case of a tie vote.

SEC 26. One member of the Council shall be elected from each of the several wards of the city by the electors thereof; and no person shall be eligible to the office of Councilman who has not resided in said city for three years prior to his election and is not twenty-five years of age.

SEC 27. Any vacancy occurring in the office of Councilman shall be filled by appointment of the Mayor, and the person so appointed by him shall possess the qualifications hereinbefore prescribed for members of the Council, and shall hold office until the election and qualification of his successor, which election shall take place at the next succeeding general municipal election.

SEC 28. The Council shall meet in the City Hall of the city on the first Monday in January succeeding their election, and at such other times as may be designated by ordinance. If at any time a regular meeting falls on a holiday, such regular meeting shall be held on the following day. Special meetings may be called by the Mayor or four members of the Council. Four members of the Council shall constitute a quorum, and the affirmative vote of four members shall be necessary for the passage of an ordinance or the final transaction of any business, but a less number than four may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the Council may by ordinance prescribe.

SEC 29. The Council shall elect one of its members, who shall be styled the President of the Council, and who shall preside at all meetings of the Council during the absence of the Mayor, and shall, in case of the sickness or inability of the Mayor, or his absence from the city, act as Mayor of the city.

The President of the Council shall be ex officio chairman of the Finance Committee, and shall, together with two other members of the Council, to be appointed by the Mayor, constitute the Finance Committee of the Council.

The Council shall establish rules for its proceedings. It shall have power to punish its members for disorderly conduct committed in its presence, and may expel any member for malfeasance in office by an affirmative vote of five of its members. It shall have the power to compel the attendance of witnesses, and the production of all papers relating to any business before that body, and may punish disobedience of its subpoena, or contemptuous or disorderly conduct committed in its presence, by fine not exceeding \$50, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 30. The President of the Council, the chairman of each committee, and each and every elective officer shall have the power to administer oaths and affirmations relative to any business brought before the Council, or under consideration by its committees or their respective departments.

SEC. 31. The meetings of the Council shall be held at the City Hall of the city; they shall be public, and a journal of its proceedings shall be kept by the City Clerk under its direction, and the ayes and noes shall be taken and entered in the journal in the final action upon the granting of franchises, making of contracts, ordering work to be done or supplies furnished, the ordering of assessments for street improvements or building of sewers, the passage of any ordinance, and in all other cases upon the call of any member.

SEC. 32. The enacting clause of all ordinances shall be in these words: "The Council of the City of Santa Barbara do ordain as follows"

SEC. 33. No ordinance shall be amended by reference only to its title, but when any ordinance is amended, the section or sections thereof shall be reenacted at length as amended.

SEC. 34. Every ordinance shall embrace but one subject, which shall be clearly expressed in the title. In all cases where the subject is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

SEC. 35. When any bill is put upon its final passage and fails to pass, if a motion is made to reconsider, the vote upon such motion shall not be taken until the next regular meeting of the Council. No bill for the grant of any franchise shall be put on its final passage within thirty days after its introduction.

SEC. 36. No ordinance shall be passed except by bill. Every bill, after it has passed the Council, shall be duly authenticated by the Clerk, and shall then be presented to the Mayor for his approval. The Mayor shall return such bill to the Council within ten days (Sundays excepted) after receiving it. If he approves it, he must sign it, and the same shall then become an ordinance, but if he shall disapprove of it, he shall return it, with his objections in writing, to the Council. If the bill is not returned with such approval or disapproval within the time specified, it shall take effect as if he had approved the same.

SEC. 37. When a bill is returned without the approval of the Mayor, the Council must cause the objections of the Mayor to be entered upon its journal and proceed to reconsider and vote on the same. If, after such consideration, the bill is again passed by an affirmative vote of not less than five members, it shall take effect as if the Mayor had approved the same. If the bill shall fail, on being so considered, to receive five affirmative votes, it shall then be finally lost. The vote shall be taken by ayes and noes, and the result shall be entered in the journal of the Council.

SEC. 38. All ordinances must be published in some daily newspaper published in Santa Barbara at least once before going into effect.

SEC. 39. No ordinance passed by the Council shall take effect until ten days after its passage and approval, unless otherwise provided in the enactment.

SEC. 40. No contract for supplies, printing, advertising, stationery, maintenance of prisoners, fuel, street sprinkling, street repairs, street sweeping, or for lighting streets, public buildings, places or offices, or the supplying of water for the use of the municipality, in any of its departments, shall be made for a longer period than one year, nor shall any contract be made to pay for gas, electric lights, or any other illuminating material, nor for the supplying of water for the use of the municipality, in any of its departments, at a higher rate or rates than is charged to any other consumer. The erection, improvement, and repair of all public buildings and works, street and sewer work, and the furnishing of supplies or material for the same, and all purchases of other supplies used by the city, when the expenditure therefor exceeds one hundred dollars, shall be by contract let to the lowest responsible bidder, after notice in a daily newspaper, printed and published in the city for at least one week. Such notice shall distinctly and specifically state the work contemplated or the supplies required; *provided*, that the Council may reject any and all bids presented, and readvertise, in its discretion.

SEC. 41. The Council shall, during the first year after its organization under this charter, cause all ordinances then in force to be classified under appropriate heads, and shall provide for the publication of the same in book form. Every officer of the city shall be entitled to one copy of such ordinances, without charge, and every citizen applying for a copy shall be entitled to the same at the cost of publication. The Council shall, every four years after the publication as herein provided, cause all the subsequent ordinances at that time in force to be compiled, and shall publish the same subject to the terms and conditions herein expressed.

SEC. 42. All contracts must be in writing, executed in the name of the city and by an officer authorized to execute the same. The form and legality of all contracts must be submitted to and passed upon by the City Attorney. Every contract must be countersigned by the Finance Committee, numbered, and filed.

SEC. 43. The Council shall have power by ordinance.

1. To establish or alter the widths and grades of, and to open lay out, alter, extend, close, straighten, and otherwise regulate streets, avenues, alleys, lanes, and sidewalks and crosswalks upon the same, and in or over any plaza, park, or grounds belonging to or under the control of the city, and to provide for acceptance of the streets when constructed and completed in accordance with such regulations as the Council may adopt.

2. To regulate or prohibit traffic and sales in streets, highways, and public places and

to regulate the use thereof by persons, associations, and corporations; to prevent encroachment upon or obstructions to the same, and to require the removal of such obstructions, and to regulate the construction of entrances to cellars and basements from sidewalks.

3. To establish and maintain a pole-line system or system of underground conduits in the city; to compel all telegraph, telephone, electric light, and other companies, corporations, firms, associations, or persons using wires to place and maintain their wires thereon, or therein, and to regulate the use and to fix the rental thereof, and to provide for the collection of the same from all corporations, companies, firms, associations, or persons using the same.

4. To regulate the naming of streets, avenues, public places, and thoroughfares, and the numbering of houses thereon.

5. To establish a general system of sewers in the city, and to regulate the building and repairing thereof.

6. To provide for and regulate street pavements, crosswalks, curbstones, grades, gutters, sewers, and cleaning and watering of the streets.

7. To regulate dispensaries, hospitals, markets, and other public institutions.

8. To provide for the construction, maintenance, regulation, and repair of bridges and public places.

9. To fix and regulate tolls and wharfrage.

10. To make regulations for preventing and extinguishing fires, establishing fire districts, and determining the character of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration, or repair of such buildings, or in the repair or alteration of existing buildings within such limits, and for restricting the height of buildings or structures.

11. To abate and remove nuisances.

12. To provide and maintain a morgue.

13. To provide for conducting elections, establishing or changing election precincts, and appointing the necessary officers.

14. To try and for cause remove from office appointees against whom charges have been preferred.

15. To regulate or prohibit the sale, keeping, storage, and use of powder, fireworks, dynamite, nitro-glycerine, and other explosive materials and substances, the places of their manufacture, or storage, and their transportation; and to regulate the storage of hay, straw and other inflammable materials, and the use of steam boilers.

16. To regulate, restrict and supervise, and for the purpose of such regulation, restriction and supervision, to specially tax the storage, manufacture, and sale of explosives, acids, poisons, or inflammable materials; the manufacture of products giving rise to noxious odors or gases; the sale of intoxicating liquors; the keeping or slaughtering of animals.

17. To regulate the keeping and use of animals, to prevent or regulate the running at large of any animals; to establish a pound; to authorize the impounding of animals found running at large, and to authorize the sale, disposition, or destruction thereof.

18. To provide for the public printing.

19. To provide suitable rooms and buildings for the courts, boards, and officers of the city, and such furniture, fuel, lights, books, stationery, and other supplies of any kind as are or may be necessary for the convenient transaction of public business.

20. To regulate the construction, repair, and use of sewers, sinks, gutters, wells, cess-pools and vaults; to compel the connection, cleaning, or emptying of the same, and to designate the time and manner in which the work shall be done; to provide for the removal of all rubbish, garbage, refuse matter, and all material detrimental to the public health, and at such times as it will be best for the public good.

21. To license hackney coaches, cabs, omnibuses, drays, carts, and other vehicles used for hire, and to regulate their stands and rates of fare, and to license, regulate, or suppress runners for railroads, steamboats, taverns or hotels, and to regulate and license the business of peddlers, auctioneers, the sale of intoxicating liquors, and all shows and exhibitions of lawful games, and to fix the rate of license upon the same. The Council shall have no power to require the payment of licenses for the privilege of conducting any business or occupation in the city other than such as are specified in this charter.

22. To regulate the entrances to and exits from theaters, lecture-rooms, public halls, churches, and public buildings, of every kind, and the manner and construction of such entrances and exits, and to prohibit the placing of chairs, stools, benches, or other obstacles, in the halls, aisles, or open places therein.

23. To establish, maintain, and regulate a fire alarm, police telegraph, and police telephone.

24. To provide general regulations as to the quality, capacity, and location of water and gas pipes, mains, and fire plugs, and to provide for and regulate the construction and repair of hydrants, fire plugs, cisterns, pumps, and other appliances as may be requisite to ublize the distribution of water and gas in the streets, public places and public buildings.

25. To require every railroad company or corporation to keep in repair between the tracks, and for the distance of two feet upon each side of the tracks, all streets occupied or used by such company or corporation.

26. To provide for the lighting of streets, alleys, public buildings and public grounds and to construct, purchase, lease, own, control, maintain, and operate a system of lighting by artificial means of illumination.

27. To determine and impose fines, forfeitures, and penalties for the violation of any ordinance or any of the provisions of this charter, and to appropriate the same.

28. To make all needful rules to govern the official conduct and duties of all officers of the city whose duties are not defined by this charter; and to fix and regulate the charges and fees of all such officers, where the charges, fees, and duties are not otherwise fixed, and to compel the payment of all such charges into the city treasury.

29. To create, control, regulate, abolish, or prohibit cemeteries; to sell or lease lots in those created; to control and regulate interments within the city limits, and to provide for removing human remains from the city.

30. To provide and maintain a city prison, and to provide for the care, custody, feeding, and clothing of city prisoners.

31. To provide for the proper employment upon any public work, or for the benefit of the city, of all persons convicted of crimes, vagrancy, or other misdemeanors.

32. To prevent and restrain any riot, or riotous assemblage, or disorderly conduct within the city.

33. To provide for supplying the city and its inhabitants with water, and to construct, develop, purchase, lease, own, control, maintain, and operate its own water supply.

34. To regulate the use and sale of gas and electric lights, and fix and determine the price of gas and electric lights, and the rent of gas and electric light meters within the city, and regulate the inspection thereof; and to regulate telephone service and the use of telephones within the city, and to fix and determine the charges for telephones, and telephone service, and connections; and the removal and placing under ground of any and all telegraph, telephone, or electric light wires, or upon the pole line or in the underground conduits established by the city.

35. To grant or extend, for a period not exceeding twenty-five years, franchises for street railways, to the bidder therefor, of the greatest percentage of the gross receipts, payable monthly; bidders for such franchises may bid percentages to increase progressively with the lapse of time, and such increases may be made contingent on increases in the population of the city, and to fix rates of fare, not exceeding five cents for each passage, on such railways, conditional that the rate of fare so fixed shall provide, when desired by the person paying such fare, a continuous passage in one general direction through the whole territory of the municipality, by the requisite transfers with connecting lines, where such exist, operated under franchise similarly conditioned.

36. To provide and maintain all public buildings, parks, or squares, necessary or proper, for the use of the city, and to acquire lands therefor and for other public uses, within or without the city.

37. To provide for the execution of all trusts confided to the city.

38. To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for State and county purposes.

39. To regulate the custody, leasing, and sale of all the property of the municipality, and such lost, stolen, or unclaimed property as may be in the possession of the police or other officers of the city.

40. To regulate all parades, processions, and public assemblages upon the streets, and to determine what parades, processions, and public assemblages thereon shall not be lawful, and to declare the same a nuisance.

41. To maintain and regulate, subject to the provisions of this charter, the fire, health, and police departments, hereby established.

42. To make all ordinances, by-laws, rules and regulations necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this charter or by general law in said city.

43. To make and enforce all such local, police, sanitary, and other regulations as are not in conflict with general laws or provisions of this charter.

44. The Council shall have power by ordinance, and it shall be its duty to fix and determine annually the rates of compensation to be collected by any person, firm, company or corporation in the city for the use of water supplied to the city, or the inhabitants thereof; also to fix and regulate annually the tolls and wharfage to be charged for the use of any wharf within the city limits, and to prescribe penalties for the violation of all ordinances passed in reference to matters contained in this subdivision.

45. The Council shall have the power to provide, by ordinance, music for public entertainment.

ARTICLE V

EXECUTIVE DEPARTMENT

The Mayor.

SEC. 44. The Mayor shall be the chief executive officer of the city. He shall be at least thirty years of age, and shall have been a citizen of the State and a resident and qualified elector of the city for the five years next preceding the day of his election.

SEC. 45. The Mayor is the presiding officer of the Council, and shall have the casting vote in case of a tie; he must sign the journal of the Council, and all warrants on the City Treasurer.

SEC. 46. He shall vigilantly observe the official conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they may execute their duties and obligations, especially in the collection, administration, and dis-

bursment of the public funds and property; and the books, records, and official papers of all departments, boards, officers, and persons in the employ and service of the city shall at all times be open to his inspection and examination. He shall take special care to see that the books and records of the said departments, boards, officers, and persons are kept in a legal and proper form; any official defalcation or neglect of duty, or official misconduct which he may discover, or which shall be reported to him, shall be laid by him before the Council, City Attorney, or District Attorney of the county, in order that the public interests shall be protected and the person in default proceeded against according to law. He shall from time to time communicate to the Council in writing a statement of the affairs of the city, and shall recommend such measures connected with the public health, cleanliness, and ornament of the city, the improvement of the government, and finances, and other matters as he may see proper or beneficial to its interests. He shall see that the laws of the State relating to this city, the provisions of this charter, and the ordinances of the city are observed and enforced.

SEC. 47. He shall appoint a competent person or persons, expert in matters of book-keeping and accounts, to examine the books, records, condition, and affairs of every department, board or officer, at least once in every year, and shall enforce such examination. Any person refusing to submit to or permit such examination, or purposely delaying or impeding the same, may be suspended from office by the Mayor for malfeasance in office. He shall have the general supervision of all the departments and public institutions of the city, and see that they are honestly, economically and lawfully conducted.

SEC. 48. He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he is authorized to use and command the police force, or, if such police force is insufficient, it shall be his duty to call upon the Governor for military aid in the manner provided by law, in order that such riots or tumults may be properly and effectively suppressed.

SEC. 49. The Mayor may call special meetings of the Council. He shall be duly notified by the City Clerk of all special meetings of the Council, when called by its members, and the time and place of all regular and special meetings of the standing or special committees thereof, and shall have the right and privilege of being present at all such meetings.

SEC. 50. The Mayor shall, on the first of each and every quarter, together with the City Attorney and Chairman of the Finance Committee, count the cash in the city treasury and see whether it corresponds with the books of the Treasurer, and report the result of such count to the Council at their first meeting thereafter.

SEC. 51. The Mayor shall see that all contracts and agreements with the city are faithfully kept and fully performed, and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city against all persons, companies, or corporations failing to fulfill their agreements or contracts either in whole or in part. It shall be the duty of every officer and person in the employ and service of the city, when it shall come to his knowledge that any contract or agreement with the city, or with any officer or department thereof, or relating to the business of any officer, has been or is about to be violated by the other contracting party, to report forthwith to the Mayor all facts and information within his possession concerning such matters, and a willful failure so to do shall be cause for the removal of such officer or employé, as in case of malfeasance in office.

SEC. 52. The Mayor shall have general supervision over all city officers; he shall have power to suspend any appointed officer for dereliction, neglect, or non-performance of duty, and shall report the same to the Council. The Council, after investigating the charge against such officer, may continue the suspension for such time as they deem proper, or they may declare the office vacant, and such vacancy shall be filled as provided for by the provisions of this charter.

SEC. 53. The Mayor shall appoint all officers of the city whose election or appointment is not otherwise provided for in this charter.

SEC. 54. When a vacancy occurs in the office of Mayor it shall be filled for the unexpired term by the Council assembled for that purpose. The person elected shall possess the qualifications hereinbefore prescribed for Mayor, and a member of the Council during the term for which he has been elected or appointed shall be ineligible to fill such vacancy.

SEC. 55. The Mayor shall exercise such other powers and shall perform all such other duties as may be prescribed by this charter or by ordinance.

City Clerk.

SEC. 56. The City Clerk shall also be ex officio Auditor and ex officio Assessor. He shall have been a citizen of the State, and a resident and qualified elector of the city for at least five years next preceding the day of his election. He shall have the custody and be responsible for the corporate seal, and all books, papers, records, and archives belonging to the city, not in actual use by other officers, or otherwise by special provision committed to their custody. He shall be present at each meeting of the Council during its sessions, and keep a journal of all its proceedings.

SEC. 57. He shall keep separate books, in which he shall record respectively ordinances, contracts, and official bonds. He shall keep all his books properly indexed and open to public inspection, when not in actual use. He shall perform such other duties as are or shall be imposed by this charter or by ordinance.

As Auditor.

SEC. 58. He shall keep a complete set of books, in which he shall set forth in a plain and business-like manner every money transaction of the city, so as to show at all times the state of each fund, from what source the money was derived, and for what purpose any money was expended, and also all collections made and paid into the treasury by each officer, or any other person.

SEC. 59. He shall, on application of any person indebted to the city, holding money payable into the city treasury, or desiring to pay money therein, certify to the City Treasurer the amount thereof, to what fund applicable, and by whom paid. He shall, upon the deposit of the receipt of the City Treasurer for money paid into the city treasury, charge the City Treasurer with the amount received by him, and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public moneys at any time in the city treasury not by law or ordinance specifically apportioned or appropriated, and forthwith notify the City Treasurer of such apportionment or appropriation.

SEC. 60. He shall make out, sign, and deliver to the proper officer all licenses. He shall report to the Council at the first regular meeting in each month the condition of each fund in the city treasury. He shall keep a record of all demands against the city, and shall draw a warrant for the same on the City Treasurer and countersign the same after such demand shall have been duly audited and allowed as hereinafter in this charter provided.

SEC. 61. He shall on or before the first day in August in each year make and present to the Council a report as to the revenue and expenses of the city for the current fiscal year, in which he shall set forth estimates of, first, the revenue from other sources than taxation; second, the itemized expenditures; third, the itemized amounts necessary to be raised by taxation for each fund. He shall perform such other duties as shall be required of him by this charter or by ordinance.

As Assessor.

SEC. 62. It shall be his duty to prepare on or before the first Monday in July of each year and present to the Council with his certificate of its correctness, a list of all the real and personal property within the city, taxable for municipal purposes, with the true valuation thereof, which said assessment list shall conform as near as practicable, when not inconsistent with the provisions of this charter, to the assessment list required by law to be made by the County Assessor for State and county purposes; to be present at all sessions of the Board of Equalization mentioned in this charter; to furnish to said board such information as may be required, and to perform such other services in reference to the assessment of property in the city or otherwise appertaining to his office as the Council shall require or direct. During the sessions of the Board of Equalization the Assessor shall enter upon the assessment list all the changes and corrections made by the board, and may assess and add to the said list any property in such city not previously assessed, after written notice to the owners of such property.

SEC. 63. He shall make or procure to be made all the necessary abstracts to be used in making up the assessment of property within the city, and after the taxes have been duly levied by the Council, shall make the proper calculations, and extend upon the assessment book the amount of taxes due from each person, firm or corporation, and deliver said books to the City Tax Collector, so completed, on or before the first Monday in October of each year, and at the expiration of his term of office he shall deliver to his successor in office, all books, maps, plats, descriptions of property, and all other things appertaining to his office. In the assessment and listing of property for taxation, and in the collection of tax upon personal property not secured by lien upon real estate, he shall have and may exercise the same powers as are or may hereafter be conferred by law upon County Assessors.

City Treasurer.

SEC. 64. The Treasurer shall be ex officio Tax Collector; he shall have been a citizen of the State and a resident and qualified elector for at least five years next preceding the day of his election.

SEC. 65. As Tax Collector it shall be his duty to receive and collect all the city taxes, general and special; he shall also collect all city licenses, and such other branches of the city revenue not otherwise herein provided for, as the Council may direct. He shall keep proper books showing all the moneys collected by him as Tax Collector, and also a book which shall contain a record of every deed given by or on behalf of the city for real estate sold for delinquent taxes or assessments, which book shall be at all reasonable times subject to public inspection; and do and perform such other duties as may be required of him by this charter or ordinance of said city. He shall pay all moneys collected by him as Tax Collector into the city treasury, weekly.

SEC. 66. As Treasurer it shall be his duty to receive and keep all moneys that shall come to the city by taxation, or otherwise, and to pay the same out on demands legally audited in the manner provided by this charter or ordinance of this city; and without such auditing he shall disburse no public moneys whatever, except salaries, and the principal and interest on the municipal debt, when payable. He shall keep an account of all his receipts and expenditures under such rules and regulations as may be prescribed by ordinance. He shall make a monthly statement to the Council of all his receipts and expenditures of the preceding month, and shall do all things required of him by this charter or ordinance of said city. As soon as suitable vaults and safes are

provided the Treasurer shall not thereafter, under any circumstances, deposit with or loan to any person, corporation, or bank, any of the moneys of the city, or allow the same (except in payment of demands against the city) to pass out of his custody.

City Attorney.

SEC. 67. The City Attorney must have been admitted as practitioner before the Supreme Court of this State, and must have been in the regular practice of law for the period of five years next preceding his election to such office; he must have been a resident of this city for five years next before his election. It shall be his duty to prosecute in behalf of the people all criminal cases arising upon violations of the provisions of this charter and city ordinances, and to attend to all suits, matters and things in which the city may be legally interested; *provided*, the Council shall have control of all litigation of the city, and may employ other attorneys to take charge of any such litigation, or to assist the City Attorney therein. He shall give his advice or opinion in writing whenever required by the Mayor, Council, Board of Education, or other city officers; he shall be the legal adviser of all city officers; he shall approve the form of all bonds given to, and all contracts made with, the city; he shall, when required by the Council, or any member thereof, draft any and all proposed ordinances for the city, and shall do and perform all such things touching his office, as by the Council or Mayor may be required of him.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SEC. 68. The judicial power of this city shall be vested in a Police Court.

SEC. 69. The Police Court shall have exclusive jurisdiction of the following offenses committed within the corporate limits of said city:

1. Petit larceny. 2. Assault or battery not charged to have been committed upon a public officer in the discharge of his official duty, or with intent to kill. 3. Breaches of the peace, riots, affrays, committing willful injury to property, and all misdemeanors punishable by fine not exceeding \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment; and 4. Of proceedings respecting vagrants, lewd or disorderly persons.

The Police Court shall also have exclusive jurisdiction:

1. Of all proceedings for the violation of any ordinance of the city, both civil and criminal. 2. Of any action for the collection of taxes and assessments levied for city purposes; or for the erection or improvement of any school-house or public buildings; for the laying out or opening or improving any public street or sidewalk, lane, alley, bridge, wharf, pier, or dock; or for the purchase of or the improvement of any public grounds, or for any and all public improvements made and ordered by the city within its limits, when the amount of the tax or assessment sought to be collected against the person assessed is less than \$300; but no lien upon the property taxed or assessed for the non-payment of the taxes or assessment can be foreclosed in any such action. 3. Of any action for the collection of money due to the city, or from the city to any person, when the amount sought to be collected, exclusive of interest and costs, is less than \$300. 4. For the breach of any official bond given by any city officer, and for the breach of any contract, and any action for damages in which the city is a party or is in any way interested; and upon all forfeited recognizances given to or for the benefit or in behalf of the city; and upon all bonds given upon any appeal taken from the judgment of the court in any action above named where the amount claimed, exclusive of costs, is less than \$300. 5. For the recovery of personal property belonging to the city, when the value of the property (exclusive of the damages for the taking or detention) is less than \$300; and 6. Of actions for the collection of any license required by any ordinance of the city.

SEC. 70. In the exercise of his jurisdiction the Police Judge may punish persons guilty of contempt of court and may issue warrants of arrest, subpoenas, venire, writs, executions, attachments, and all other processes necessary and proper, and may administer oaths.

SEC. 71. In all cases in which the Judge of the Police Court is a party or in which he is interested, or in which he is related to either party by consanguinity or affinity within the third degree, and in case of his sickness, absence, or inability to act, any Justice of the Peace of the County of Santa Barbara may, at the written request of the said Police Judge, act in his place and stead.

SEC. 72. The Judge of the Police Court shall keep a record of the proceedings of the said court in all matters and cases before said court and shall pay weekly into the city treasury all fines collected. He shall on the first Monday of each month file with the City Clerk an exact and detailed account in writing, upon oath, of all fines imposed and collected, and of all fines imposed and not collected, and of all forfeitures and all the moneys by him collected on behalf of the said city.

SEC. 73. The said city shall furnish a suitable room for said court at which the said judge shall remain from nine o'clock A. M. until ten o'clock A. M. of each judicial day, and such further time as shall be necessary to dispose of all business properly coming before said court.

SEC. 74. The said city shall also furnish the necessary dockets and blanks for the use of said court; said court shall always be open except on non-judicial days, and also on such days for such purposes as are or may hereafter be by law required of other courts of the State on non-judicial days.

ARTICLE VII.

REVENUE AND TAXATION.

SEC. 75. The Council shall annually fix the rate of taxation to be levied, and the levy of taxes upon all property, both real and personal, in the city, necessary to raise sufficient revenue to carry on the various departments of the municipal government for the current fiscal year, *provided*, that the rate of taxation so levied shall not exceed in any one year one dollar on each one hundred dollars of the assessed value of the property in the city according to the assessment roll of such year, exclusive of the amount necessary for the payment of the principal and interest of the bonded debt of the city, and exclusive of any special tax authorized by vote of the electors as in this charter provided.

SEC. 76. The Council shall, before fixing the rate of the annual city tax, establish by ordinance separate funds representing the funded obligations of the city, if any, and the several departments requiring municipal expenditure, including a general fund, and the percentage of said levy shall be named for each fund, and the whole amount of taxes and revenue of the city apportioned accordingly, and no transfers shall be made except of balances in excess, or from the general fund to meet deficiencies, or to provide for the redemption of city bonds, if any.

SEC. 77. Except as in this charter otherwise provided, the assessment of property taxable in the city for municipal purposes, the equalization of assessments, the collection of taxes, the sale of property for unpaid taxes, and the redemption of property sold for taxes shall be made and had in the form and manner and with like effect, as now or may hereafter be provided by law for the assessment of property, equalization of assessments, levy and collection of taxes, and sale of property for unpaid taxes for State and county purposes, and redemption thereof, and to that end:

First—All powers and duties so by law conferred or imposed upon the County Assessor are hereby conferred and imposed upon the City Assessor.

Second—All powers and duties so by law conferred or imposed upon the Board of Supervisors are hereby conferred and imposed upon the Council.

Third—All powers and duties so conferred or imposed upon the District Attorney are hereby conferred and imposed on the City Attorney.

Fourth—All powers and duties so by law conferred or imposed upon the County Treasurer or upon the County Tax Collector are hereby conferred and imposed upon the City Treasurer and ex officio Tax Collector.

Fifth—All powers and duties so by law conferred or imposed upon the County Clerk, County Assessor, or County Auditor are hereby conferred upon the City Clerk.

SEC. 78. The City Assessor must make the abstract provided for in Section 3678 of the Political Code. Should any such abstract or list be found to contain any instrument relating to lands situated partly within and partly without the city, it shall be the duty of the City Assessor to apportion the valuation of such instrument to be assessed in the city, and assess the same accordingly. The City Assessor shall be governed as to the amount of taxes to be by him collected on personal property by the city rate of the previous year.

SEC. 79. Every tax due upon personal property is a lien upon the real property of the owner thereof; every tax due upon real property is a lien against the property assessed, and every tax due upon improvements upon real property assessed to others than the owners of the real estate is a lien upon the land and improvements, and which said several liens attach as of the first Monday of March in each year at twelve o'clock meridian.

SEC. 80. Whenever the Council shall determine that public interest requires the construction, or acquisition, or completion of any permanent municipal building, work, sewer, property, water or light system, wharves, or improvements, the cost of which, in addition to the other expenditures of the city, will exceed the income and revenue provided for in one year, they may by ordinance submit a proposition to incur a debt for such purpose, and proceed therein as provided in Section 18 of Article XI of the Constitution and general law of this State; *provided*, that such indebtedness shall not bear more than five per cent interest per annum, and that no bond issued therefor shall be sold for less than par value, and to the highest bidder after advertising for sealed proposals therefor. And no indebtedness or liability shall be incurred by the city in any manner or for any purpose exceeding in any year the income and revenue provided for it for such year without the assent of two thirds of the qualified electors thereof voting thereon at an election to be held for that purpose.

ARTICLE VIII.

POLICE DEPARTMENT.

SEC. 81. There shall be a Chief of Police, who shall be a qualified elector of the city, not less than twenty-five years of age, and who shall be appointed by the Mayor, and shall hold office during the pleasure of the appointing power.

SEC. 82. The Chief of Police shall have command and control of the police force, subject to the general supervision of the Mayor. He shall have power to suspend any policeman for disobedience of any lawful order, for the violation of the rules of the department, neglect of duty, drunkenness, or misconduct as a policeman; and he shall, upon suspending a policeman, promptly certify the fact with the cause thereof to the Mayor, who shall forthwith report the same in writing, together with the charges pre-

ferred against such policeman, to the Council, and if such policeman shall be found guilty by the Council he shall be dismissed from the police force.

SEC. 83. The Chief of Police shall observe and cause to be observed and enforced all laws and ordinances within the city, and shall see that all lawful orders and processes of the Council and Police Court within the city are promptly executed. For the suppression of any riot, public tumult, disturbance of the peace, unlawful assembly, organized resistance to the laws or public authorities in the performance of their duties, or in arresting persons for the public offenses, he shall have all the powers that are or may be hereafter conferred upon Sheriffs by any law, and all his lawful orders shall be promptly executed by the police officers. In addition to the powers and duties herein enumerated, the Chief of Police shall have such other powers and perform such other duties pertaining to the police department as may from time to time be conferred or imposed upon him by ordinance.

SEC. 84. The Chief of Police shall keep a public office to be provided by the Council, which office shall be open and at which he or a police officer shall be in attendance at all hours, day and night. The Chief of Police shall devote his entire time to the discharge of the duties of his office, and shall not absent himself from the city, without urgent necessity, unless in pursuit of persons who have committed public offenses within the limits of the city. If such absence from the city be upon any other than business immediately connected with his office, except on vacation (and then only by written consent of the Mayor, filed with the City Clerk), he shall forfeit his salary for the time of such absence, and the proper amount shall be deducted from his next salary warrant by the City Clerk.

SEC. 85. There shall be a captain of police selected from the police force by the Mayor, who, in the absence of the Chief of Police, shall have command and control of the police force, and who shall perform such other duties and have such other powers pertaining to the police department as shall be required of him by the Chief of Police, or from time to time be imposed or conferred on him by ordinance. The term of office of captain of police shall be during the pleasure of the appointing power.

SEC. 86. In addition to the Chief of Police, there shall be a permanent police force, which shall consist of such number of policemen as the Council shall, from time to time, by ordinance, authorize to be appointed. They shall be appointed by the Mayor, and shall hold office during good behavior, unless removed for cause or for the improvement of the public service, as in this charter provided. The Chief of Police may appoint from the police force a jailer. No person shall be appointed to any position in the police force of the city unless he shall be a man of good moral character and of good repute for honesty and sobriety, a citizen of the United States, and a resident and elector of the city for at least one year preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in health, strength or courage; and (except those in service on the police force at the time this charter takes effect) every appointee hereafter shall be not less than twenty-five nor more than forty-five years of age, and must, before being appointed, present to the Mayor a certificate of the City Physician that the applicant is in sound health and free from any physical disability that would incapacitate him from the duties of a policeman.

SEC. 87. Whenever the Council shall deem it expedient a patrol system may be provided for the use of the police department, which system shall include horses, wagons, and all electric or other appliances necessary for the operation of such system.

SEC. 88. Except as otherwise in this charter prescribed, the Mayor in making appointments of members of the police force shall be guided by the fitness of the applicant, and no person shall be appointed to or removed from the police force on account of his political or religious opinions. No member of the police department shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, or take any part in any general or primary election, except to vote; and any officer, member or employee in said department violating any of the provisions of this section shall forfeit his position.

SEC. 89. No member of the police force shall be allowed to receive any money, gratuity, or compensation for any service he may render as an officer, except rewards which have been publicly offered for the apprehension or conviction of criminals without the written consent of the Mayor, first filed with the City Clerk, and any member of the police force who shall violate this provision shall be at once removed from office. The members of the police force shall not follow any other calling, profession or business, but shall devote their entire time to the performance of their official duties; nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except for the yearly vacation provided by general law.

SEC. 90. The members of the police force shall promptly and fully obey, enforce, observe, and cause to be obeyed and enforced and observed all lawful orders of their superiors, and all rules and regulations of the police department. They shall be prompt and diligent in the detection of crime, the arrest of public offenders, with or without warrant, the suppression of all riots, affrays and breaches or disturbances of the peace, in the abatement of public nuisances and the enforcement of the laws and city ordinances. It shall be the duty of each member of the police force to acquaint himself with the provisions of this charter, with all ordinances of the city, and with all laws of the State defining public offenses and regulating criminal proceedings.

SEC. 91. In addition to the regular police force, the Mayor may at times of public

emergency appoint special policemen, who shall serve for such time as is designated in their appointment and who shall also receive the same rate of compensation for their services as is paid to regular policemen.

SEC. 92. The Mayor may also, upon the petition of any firm, person, or corporation, appoint at any time a special policeman for special services, to be paid for by such person, firm, or corporation; *provided, however*, that the locality where such special policeman is to act shall be described in the warrant of appointment. The policeman so appointed shall receive no pay from the city. All special policemen shall possess the powers and discharge the duties of regular policemen and be under the direction of and control of the Chief of Police, and be subject to and obey all rules and regulations of the police department. The term of office of any special policeman shall be at the pleasure of the appointing power and shall cease with the office of the appointing power.

SEC. 93. The Council may prescribe the badge of office and uniform to be worn by members of the police force.

SEC. 94. The members of the police force shall receive such salaries as the Council may by ordinance prescribe.

ARTICLE IX.

FIRE DEPARTMENT.

Board of Fire Commissioners.

SEC. 95. The Board of Fire Commissioners shall consist of: first, the Mayor; second, the Chief Engineer of the fire department; and third, the Chairman of the Finance Committee of the City Council.

SEC. 96. Said Board of Fire Commissioners shall have full control of the fire department and the fire alarm system of said city.

SEC. 97. It shall be their duty to see that the city is properly supplied with all the necessary appliances and apparatus for the extinguishment and prevention of fires; to order the placing of hydrants, fire-alarm boxes and cisterns for said purposes; to provide means for the proper handling and hauling of said apparatus, and to construct buildings for the proper housing of the same; to draft and prescribe rules and regulations for the government of said department and to see that the same are carried into effect; to employ or dismiss any member thereof; *provided*, that said dismissal shall be only for cause; to fix the compensation of the members of said department and of all employees connected therewith.

SEC. 98. They shall act as fire wardens and shall see that the ordinances of the city regulating the fire limits, the construction of buildings, and the storage of combustible materials and explosives within the city are enforced and carried into effect.

SEC. 99. They shall furnish the City Council on or before the day set for fixing the yearly tax levy with an estimate of the amount of funds necessary for the fire department for the ensuing year, and it shall be the duty of the Council to include in said tax levy a sufficient and proper amount for the successful conduct of such department and the payment of the expenses thereof, which tax when collected shall be set aside as a separate fund for the support and maintenance of said department.

SEC. 100. All bills against said fund must be approved by the Chief Engineer of the department, in writing, before being presented to said board, who, upon approval, shall direct the clerk of said board to draw a warrant upon the aforesaid fund for the same.

SEC. 101. The Mayor shall be the presiding officer of said board.

SEC. 102. The City Clerk shall act as clerk of said board without any additional compensation therefor.

SEC. 103. Said board shall meet at least once each month, and the members thereof shall serve without compensation.

SEC. 104. The Chief Engineer of the Fire Department shall be elected by ballot by the members of the volunteer department at an election to be held for such purpose on the first Monday in January in each year; *provided, however*, that if said volunteer fire department shall become disorganized, or from other cause shall fail to elect such Chief Engineer, the Mayor shall appoint a Chief Engineer to fill such vacancy.

ARTICLE X.

HEALTH DEPARTMENT

SEC. 105. There shall be a health department under the management of the Board of Health. Said board shall consist of five members, namely: the Mayor, who shall be ex officio a member and president of said board, and the City Engineer, who shall be ex officio a member of said board, and three citizens, who shall be appointed, without regard to their political opinions, by the Mayor, within fifteen days after the commencement of his term of office. The Mayor shall not have the right to vote unless in case of a tie. Each appointed member of the board shall be a duly licensed physician, in accordance with the laws of the State of California, and a qualified elector of the city for two years immediately preceding his appointment. Said members shall serve without compensation, except the member serving as Health Officer, who shall receive such compensation as the Council shall prescribe.

SEC. 106. The term of office of the appointed members of the board shall be for two years, and until their successors are appointed and qualified, said term to commence upon the date of their appointment; *provided*, that those members first appointed shall

so classify themselves to allow that one of them shall go out of office at the end of one year, and two at the end of two years. If any appointed member fails to qualify within ten days after his appointment, such appointment shall be void and a new appointment shall be made for the unexpired portion of the term of said member.

SEC. 107. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the president, or any three members, and all meetings shall be public. Three members shall constitute a quorum.

SEC. 108. Said Board of Health, subject to the ordinances of the city, shall have supervision of all matters pertaining to the sanitary condition of the city.

SEC. 109. The Council shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt, and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and of this charter shall be provided for by the Council.

SEC. 110. The Board of Health, within two weeks from the time of its organization, shall elect from among their number a City Physician, who shall also act as Health Officer and Secretary of the Board of Health. Said City Physician shall not be less than thirty years of age, a licensed physician for not less than two years, and actually engaged in the practice of his profession in said city; he shall hold his office during the pleasure of the Board of Health, and must see that the laws and ordinances of the city, in relation to the public health, and the regulations and orders of the Board of Health are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto, and, by himself, or his deputy, issue all permits for burials, or removals in any of the cemeteries, and no interments shall be made therein unless said Health Officer is satisfied of the correctness and reliability of the certificate of death presented for his inspection; he shall have the powers of a police officer, and shall make an extended and annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and other recommendations in relation to the sanitary condition of the city as he may deem proper. It shall be his duty to examine and inspect all nuisances, privies, vaults, cesspools, buildings, and low places within the city limits, with a view to the enforcement of all the laws and regulations relating to sanitary matters, and to cause the arrest of and vigorous prosecution of persons violating any of said regulations.

SEC. 111. The Board of Health may cause to be removed to a smallpox hospital or pesthouse, any persons in said city affected with the smallpox, Asiatic cholera, or yellow fever. When a case of either of these diseases exists in any house, and the person so affected is not removed to said hospital or pesthouse, the Health Officer, upon order of said Board of Health, shall immediately place a quarantine flag on said premises and may place a competent person in charge thereof, who shall see that the quarantine is strictly enforced so long as public safety requires.

SEC. 112. The board may proclaim such quarantines and declare such quarantine districts and grounds, and the boundaries thereof, as may in their judgment be necessary for the preservation of the public health.

SEC. 113. No person shall deposit in any cemetery the body of any human being who has died within the city, or remove the same from within the limits of the city, without having first obtained and filed with the Health Officer a certificate signed by a physician or Coroner, setting forth as nearly as possible the name, age, sex, color, place of birth, occupation, date and locality, and cause of death of deceased, and obtain from the Health Officer a permit in writing therefor for burial or other purposes. Physicians, when deaths occur in their practice, must give the certificate herein mentioned, unless the physician believes the death to be a proper case for investigation by the Coroner. No body of a human being who has died within the limits of the city, and no body or remains of a deceased person exhumed or taken from any grave, vault, or other place of burial or deposit within or without the city, shall be transported in or through the streets or highways of the city, unless the person or persons transporting such body or remains shall first obtain from the Health Officer a permit in writing therefor, which shall accompany the body or remains.

SEC. 114. In addition to the powers and duties in this article enumerated, the board shall have such other powers and perform such other duties as may be prescribed by ordinance of the Council or by general law.

ARTICLE XI.

PUBLIC WORKS

SEC. 115. If at any time the city shall become the owner of any water supply or any plant or system for illumination, or shall decide to provide or construct such supply, plant or system, there shall be a department to be known as the waterworks department, or the lighting department as the case may be, and the Mayor shall appoint three citizens of the city to be commissioners of such department. They shall hold their office for the term of three years, and shall serve without compensation; *provided*, that in the first appointments the terms shall be for one, two, and three years, respectively, to be designated in the notice of appointment by the Mayor.

SEC. 116. Such commissioners shall, in their respective departments, have the full control and management of such water supply, or such plant or system of illumination, and of the construction, extension, alteration, and repair thereof, and of the collection of

revenue therefrom, under such regulations by ordinance as the Council may, from time to time, enact.

SEC. 117. The Council shall designate, by ordinance, the officers and employes of such department and their respective duties and compensation; but when once fixed, such compensation shall not be altered without the recommendation of the majority of the commissioners.

SEC. 118. The commissioners shall appoint all officers and employes of their department. They may remove temporary employes at will, but shall not remove appointees to permanent positions provided by ordinance, except for cause or for the improvement of the public service.

SEC. 119. No person shall be appointed to any position in any department created under this article, unless he be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident and elector of the city for at least two years next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is deficient in health, strength, and activity.

SEC. 120. The commissioners, in making appointments, shall be guided solely by the fitness of the applicants, and no person shall be appointed to or removed from any position on account of partisanship or political or religious opinions.

SEC. 121. No officer or employe in any department created under this article shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, nor take any part in any general or primary election, except to vote; and any officer or employe in such department violating any of the provisions of this section shall forfeit his position.

SEC. 122. The commissioners shall exercise general supervision over their department, and make such rules for the government and discipline of the officers and employes thereof as may be necessary to secure efficiency. All contracts for work and materials must be made by the commissioners in the manner provided in this charter for making contracts, and must be approved by the Council, and all payrolls and accounts before being paid by the Council shall first be passed upon by the commissioners, who shall thereupon certify them to the Council for payment.

City Engineer.

SEC. 123. The City Engineer shall have been a citizen of the State, and a resident and qualified elector of the city, at least two years next before his appointment.

In addition to other duties imposed upon him by this charter, or ordinances of the Council, the City Engineer shall:

1. Make all surveys, inspections, and estimates required by the Council.
2. He shall examine all public work done under contract, and report thereon in writing to the Council.
3. He shall, on application of any person owning or interested in real property in said city, for a survey or plat of such property, make and deliver the same upon the payment of his fees therefor.
4. He shall be the custodian of and responsible for all maps, plats, profiles, field notes, and other records and memoranda belonging to the city pertaining to his office and the work thereof, all of which he shall keep in proper order and condition, with a full index thereof, and all of which he shall turn over to his successor.
5. All maps, plats, profiles, field notes, estimates, and other memoranda or surveys, and other professional work, made or done by him, or under his direction or control, during his term of office for the city, shall be the property of the city.

Street Superintendent.

SEC. 124. As Street Superintendent, the City Engineer shall have the general care of and frequently inspect the streets of the city, and shall see that all traveled streets are kept in good repair. He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street obstruction. He shall superintend all public works pertaining to street improvements, while the same are in course of construction; inspect and approve or reject all material used in such construction, whether done under contract or otherwise, and shall at once report to the Council, in writing, all deviation from contracts and use of any improper material and bad workmanship in such works, and shall have power, pending investigation, to stop all work thereon. He shall perform such other duties as are herein elsewhere prescribed or imposed by ordinance.

ARTICLE XII.

EDUCATIONAL DEPARTMENT

SEC. 125. The school department of said city shall comprise all the public schools of Santa Barbara school district, primary, grammar and high school, and the manual training and kindergarten schools, as now established, and as the same may hereafter be consolidated, enlarged or discontinued.

SEC. 126. The government of the school department of the city shall be vested in a Board of Education, to consist of five members, to be called School Trustees, each of whom shall be a citizen of the United States over the age of thirty years and shall have been a resident of the city for the period of not less than three years prior to his election.

Said trustees shall be elected at the first regular election held under this charter, and shall hold office for the term of four years, and until their successors are elected and qualified; *provided, however*, that said trustees so elected, after the first election after the adoption of this charter, shall so classify themselves by lot that the term of two of them shall be for two years, and of three for four years, and thereafter alternately, at the regular municipal election, there shall be elected, respectively, two and three members of said Board of Education.

SEC. 127. The School Trustees shall meet on the first Monday in January after their election and organize by electing one of their number president, and another secretary, whose terms of office shall be two years each. The board shall hold regular meetings at least once in each month, at such time and place as shall be determined by its rules. Special meetings of the board may be called by the president or any two members of the board by written notice served upon each member of the board, stating the purpose of such special meeting. Said notice shall be served at least one day before such meeting; *provided*, that notice by mailing to any member at least two days before the meeting shall be deemed equivalent to personal service on such member. A majority of the members shall constitute a quorum for the transaction of business, and an affirmative vote of three members shall be necessary to pass any measure. The sessions of the board shall be public, and the record open to public inspection. The board may determine the rules of its proceedings, and the ayes and noes shall be taken when demanded by any member, and entered upon the records of the board. Any vacancy occurring in the board shall be filled, until the next municipal election, by appointment by the Mayor of the city.

SEC. 128. The powers and duties of the Board of Education are as follows:

1. To establish and maintain public schools, including kindergarten, high schools, sloyd and manual training schools; to change, consolidate and discontinue the same

2. To manage and control the school property

3. To employ, pay, and dismiss teachers, janitors, school census marshals, and such persons as may be necessary to carry into effect the powers and duties of the board, and to fix, alter, allow and order paid their salaries or compensations, and to withhold, for good and sufficient cause, the whole or any part of the salary or wages of any person or persons employed as aforesaid; *provided*, that no election or employment of a teacher or other person employed by the board shall be construed as a contract as to any duration of employment beyond the time of dismissal of such teacher or other person

4. To make, establish, and enforce all necessary rules and regulations for the government and progress of public schools, and for the investigation of charges against any person in the employ of the department, and to carry into effect the laws relating to education

5. To establish and regulate the grade of schools and determine the course of study, the mode of instruction, and what text-books, other than those published by the State, shall be used in said schools; but any text-book adopted by the board shall not be changed within a period of four years after its adoption.

6. To provide for the school department all necessary supplies, including ink, pens, tablets, registers, blank reports, promotion cards, crayons, writing paper, rulers, pencils, diagrams, maps, globes, chemical and mechanical apparatus, and certificates of graduation, fuel and lights, and incur such other incidental expenses as may be necessary for the welfare of the department.

7. To build, alter, repair, rent, and provide school-houses, and to furnish them with proper school furniture, apparatus, and appliances, and to insure any and all school property.

8. To purchase, sell, lease, or exchange school lots; to take charge of any and all real estate and personal property as may have been, or that may be hereafter, acquired for the use and benefit of the public schools of the city, and to make conveyance of all such real estate sold by the Board of Education; *provided*, that no real estate shall be bought, sold, or exchanged without the concurrence of four fifths of the members of the board; and *provided further*, that the proceeds of such sale of real estate or personal property shall go into the special school fund of the city in the county treasury.

9. To grade, fence, and improve all school lots.

10. To sue for any and all lots, land, and property belonging to or claimed by said school department; and to prosecute and defend all actions at law or in equity necessary to recover and maintain the full enjoyment and possession of said lots, land, and property.

11. To prohibit any children under six years of age from attending the public schools, except that in the kindergarten younger children may be received.

12. To examine and allow, in whole or part, every demand payable out of the school funds, or to reject any such demand for good cause.

13. To admit non-resident children to any of the departments of the schools, upon the payment, at such time as the board may direct, of tuition fees to be fixed by the board.

14. To dispose of, at public or private sale, such personal property as shall be no longer required by the department.

15. To exclude from the schools and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.

16. To furnish books for children of parents unable to furnish them, and all books so furnished shall belong to the city, and shall be kept in the libraries of the schools when not in use.

17. To use and apply the school funds of the city for the purposes herein named, and for no other purposes whatever.

18. And generally to do and perform such other acts as may be required by general law applicable to the city, and as may be necessary and proper to carry into force and effect the powers conferred on said board.

SEC. 129. It shall be the duty of the board to prescribe a course of study that will fit and prepare the students therein to enter any of the departments of the State University. Such course shall be known as the high school course.

SEC. 130. Each member of the board shall visit every school in the city at least twice in each term, and examine carefully into its management, condition, and wants.

SEC. 131. The Board of Education shall select a City Superintendent of Schools, whose term of office shall be four years unless sooner removed for cause by vote of a majority of the members, after a full investigation. The City Superintendent of Schools shall give his time and attention to the duties of his office, subject to the regulations of the Board of Trustees.

SEC. 132. The City Superintendent of Schools and teachers of the public schools shall be experienced teachers and shall possess the qualifications required by the Board of Education of Santa Barbara County, and such other qualifications as this Board of Education may prescribe. The disobedience of any proper order or regulation of the Board of Education by any person holding a position under appointment or election in this department shall be deemed good cause for dismissal or removal.

SEC. 133. It shall be the duty of the Board of Education to call an election and submit to the voters of the school district whether the bonds of said district shall be issued and sold for the purpose of raising money for purchasing school lots, for building or purchasing one or more school-houses, for insuring the same, for supplying the same with furniture and necessary apparatus, for improving the grounds, or for liquidating any indebtedness already incurred for said purposes, whenever in their judgment it is advisable, or whenever petitioned by a majority of the heads of families residing in said district, so to do. Such election shall be called and said bonds shall be issued in accordance with the school law of this State.

SEC. 134. All contracts for building shall be awarded to the lowest bidder therefor, furnishing adequate security, to be determined by the board, after due public notice, published daily for not less than ten days in one daily paper of the city. Said board, however, shall reserve the right to reject any and all bids.

SEC. 135. Any member of the Board of Education, or any person officially connected with the school department, or drawing a salary from the board, who while thus drawing such salary, upon investigation by the board, or by any special committee that may be appointed by the Council, shall be found to be interested directly or indirectly in, or to have gained any advantage or benefit from any contract, payment, or any purchase of any kind which have been, or are to be made in any part from moneys derived from the school fund or raised by taxation or otherwise, for the support of the public schools, shall forfeit his office, and the board shall thereupon declare such office vacant.

SEC. 136. The Board of Education shall estimate the amount necessary in their judgment to carry on for the next school year those departments of the public schools not now provided for by the general law, and shall report the same to the Board of Supervisors of the County of Santa Barbara in the manner provided by law, in case of levy of special school tax.

SEC. 137. The board shall cause to be prepared in January and July of each year, and filed in the office of the City Clerk, a tabulated statement showing the income and resources of the school department, and the general expenditures for such school purposes, together with such other information as will show the general condition of the schools, and the work accomplished by the department for the previous six months.

SEC. 138. The Public School Fund of said city shall consist of all moneys received from the State and county school fund; of all moneys arising from taxes which shall be levied for school purposes; of all moneys arising from the sale, rent, or exchange of any school property, and of such other moneys as from any source whatever may be paid into the school fund; which fund shall be kept separate and distinct from all other moneys, and shall only be used for school purposes, under the provisions of this charter; and if at the end of the fiscal year any surplus remains in the school fund, such surplus money shall be carried forward to the school fund of the next fiscal year, and no part of the school fund shall be for any purpose, or in any manner whatever, diverted or withdrawn from any such fund, except as in this charter provided.

SEC. 139. All claims payable out of the school fund shall be filed with the secretary of the board, and shall be approved by a majority of all members of said board, upon a call of ayes and noes, which shall be recorded. After claims have been approved, as herein mentioned, the secretary of said board shall draw a requisition upon the County Superintendent of Schools for the payment thereof, which requisition shall be signed by the president, and countersigned by the secretary. All demands for salaries of teachers and compensation of janitors shall be payable monthly in the same manner, without presentation of claims therefor.

SEC. 140. All demands authorized by this article and by the Board of Education, approved as aforesaid, shall be paid as provided by the general school law.

SEC. 141. The member of said board acting as secretary thereof shall receive for his services as such secretary a salary to be fixed by the Board of Education not exceeding \$20 per month, and such salary shall be in full payment for all services rendered by him.

SEC. 142. The City Attorney shall be the attorney of the board, and shall not receive

any compensation for services rendered or to be rendered to the board, other than or in addition to his salary as such City Attorney.

SEC. 143. The school year shall consist of forty weeks.

SEC. 144. In case of disaster from fire, riot, earthquake, or public enemy, the Board of Education may, with the approval of the Mayor and Council, incur extraordinary expenditures in excess of the annual limit provided by this charter for repair, construction, and furnishing of school-houses; and the Council may, by ordinance, cause to be transferred to the school fund from moneys in any other fund not otherwise appropriated sufficient moneys to liquidate such extraordinary expenditures.

SEC. 145. The Board of Education succeeds to all the property, rights, and obligations of the School Trustees of Santa Barbara school district heretofore existing.

ARTICLE XIII.

PUBLIC LIBRARIES.

SEC. 146. There shall be maintained in the City of Santa Barbara free public libraries and reading-rooms as provided for by an Act of the Legislature of this State, entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, and such other Acts of the Legislature as may be amendatory thereof or supplemental thereto.

SEC. 147. The public library and reading-room created and existing under the provisions of said Act, and known as the "Santa Barbara Free Public Library," is hereby continued in existence, and shall be free of access to all residents of said city and the general public, subject to such rules and regulations for the government and management thereof as may from time to time be adopted by the Board of Trustees thereof.

SEC. 148. The Board of Trustees thereof shall consist of five members, to be elected at the regular municipal election, and shall hold office for two years, or until their successors are elected and qualified.

ARTICLE XIV.

CLAIMS AND DEMANDS.

SEC. 149. All claims and demands whatever against the City of Santa Barbara, except salaries, interest coupons on bonds, and bonds of the funded debt, shall be paid only on demands as herein provided for.

SEC. 150. Said demands, except demands payable out of the library fund, and fire department fund, shall be presented to the Council on forms or blanks to be provided by the City Clerk, and shall be referred to its committee on finance. The said committee shall, by its indorsement thereon, approve or reject the same in whole or in part. The Council shall then consider the said demands and the action of said committee thereon, and shall, if the same be just and legal, approve the same; but may, if it so determine, approve in part or reject the whole. The action of the Council shall be indorsed thereon, with the date of such action, and certified with the signatures of the Mayor and City Clerk.

SEC. 151. All demands approved by the Council shall be delivered to the City Clerk, who shall thereupon draw a warrant therefor upon the City Treasurer, which shall be signed by the Mayor and countersigned by the City Clerk.

SEC. 152. No demand can be approved, audited or paid unless it specify each several item, with the date and amount thereof, nor unless it be subscribed by the claimant or his, her, or its agent, and sworn to before some officer authorized to administer oaths.

SEC. 153. No payment can be made from the city treasury or out of the public funds of said city unless the same be specially authorized by law or this charter, nor unless the demand which is paid be duly audited as in this charter provided. The term "audited" as used in this charter with reference to the demands upon the treasury is understood to mean that said demands have been presented to, passed upon and approved as herein provided, and this must appear upon the face of the paper representing the demand or else it is not audited.

SEC. 154. The City Clerk must number and keep a record of all demands on the treasury which have been duly approved, showing the number, date, amount, the name of the original and present holder, on what account allowed and out of what fund payable.

SEC. 155. Every lawful demand upon the treasury, duly audited as in this charter required, shall in all cases be paid on presentation, and canceled, and the proper entry thereof be made, if there be sufficient money in the treasury belonging to the fund out of which it is payable; but if there be not sufficient money belonging to said fund to pay said demand, then it shall be registered in a book kept by the Treasurer for that purpose, showing its number, when presented, date, amount, name of original holder, on what account allowed, and out of what fund payable, and being so registered shall be returned to the party presenting it with an indorsement of the word "registered," dated and signed by the City Treasurer. All registered demands shall be paid in the order of their registration, and shall bear interest at the rate of five per cent per annum from date of such registration.

SEC. 156. All public moneys collected by any officer or employé of the city shall be paid into the said treasury without any deduction on account of any claim for fees, commissions, or any other cause or pretense, and the compensation of any officer,

employé, or other person so collecting money shall be paid by demands upon the treasury, duly audited as other demands are audited and paid.

SEC. 157. No suit shall be brought upon any claim for money or damages against the City of Santa Barbara, until the demand for the same has been presented as herein provided, and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Nor shall suit be brought against said city upon any such claim or demand if the same shall be in whole approved and audited as provided herein; *provided*, that nothing herein contained shall be construed so as to deprive the holder of any demand of his right to resort to, or right to maintain any other proceeding against the said Council or any board or officer of said city to compel them or him to act upon said demand or claim, or to pay the same when so audited.

ARTICLE XV.

MISCELLANEOUS PROVISIONS.

SEC. 158. All grants of franchises or privileges by the Council shall be awarded to the highest bidder in pursuance of the general laws of this State, nor shall any such franchise or privilege have any validity unless the person or persons to whom the same is made shall, within six months thereafter, actually and in good faith, commence the exercise or enjoyment of the same; *provided*, that where condemnation of property is necessary, condemnation proceedings commenced and diligently prosecuted shall be deemed the exercise of the franchise or privilege. Whenever any franchise or privilege shall have been in disuse, in whole or in part, for the period of one year, there being no legal impediment to the use thereof, it shall be deemed abandoned and forfeited to the extent of such disuse, and said franchise or privilege, or the part thereof, so in disuse, shall no longer be used or enjoyed. When, in the exercise of any franchise or privilege, use has been made in any way of any street or alley of the city, such street or alley shall be put in good repair, and the materials or obstructions which have been placed therein in the exercise of such franchise or privilege shall be removed therefrom, at the expense of the person or company who has held such franchise or privilege, whenever the franchise or privilege is abandoned or falls into disuse.

SEC. 159. Any person, except as otherwise in this charter provided, holding a salaried office under this city, whether by election or appointment, who shall during his term of office hold or retain any lucrative office under the Government of the United States or of this State or of the County of Santa Barbara, shall be deemed thereby to have vacated the office held by him under the city government. No person holding any office under the city government shall be eligible to election or appointment to any other office under said city government.

SEC. 160. No member of the Council, or of any board provided for by this charter, and no officer or employé of the city, shall be or become directly or indirectly interested in any contract, work, or business, the consideration, price, or profits of which are payable in whole or in part from the city treasury or school funds and are determined or in any way directly affected by any official act of said Council, board, officer, or employé, or in the sale of any article, the price of which, or the purchase of which by or for the city, or by or for the public schools thereof, depends directly or indirectly upon any official act of such Council, board, officer, or employé. No member of the Council or of any board provided for by this charter and no officer or employé of this city having any authority or power relating to or affecting the granting of any franchise, right, or privilege, shall be or become directly or indirectly interested in any such franchise, right, or privilege. Any member of the Council or of any board herein mentioned and any officer or employé of the city violating the provisions of this section shall forfeit his membership or office or employment; and all contracts made, or rights, franchises, or privileges granted in violation of this section shall be absolutely void.

SEC. 161. No officer of the city shall be, or become a surety, on any bond given to the city, or to any person for the benefit of the city, nor shall any officer or employé of the city, give or promise to give, any person any portion of his compensation, or any money, or thing of value, or any position, in consideration of having been or being nominated, appointed, voted for, or elected to any office or employment under the city. No officer of the city shall, while in office, accept any donation or gratuity in money or in anything of value, either directly or indirectly, from any subordinate employé, or from any candidate or applicant for any position under him. Any person violating the provisions of this section shall forfeit his office and employment under the city, and be forever disqualified from holding any position in the service of the city.

SEC. 162. All books and records of every officer and department shall be open to the inspection of any citizen at any time during business hours. Copies and extracts from such books and records, duly certified, shall be given by the officer having the same in custody, to any person demanding the same, upon paying or tendering ten cents per folio of one hundred words.

SEC. 163. All streets, lanes, alleys, places and courts in said city now open and dedicated, or which may hereafter be opened and dedicated to public use, shall be kept in repair, so that the same shall be in good passable condition, and it shall be the duty of the Street Superintendent to keep all said streets, lanes, alleys, places and courts within the city limits in good repair, at the expense of the city.

SEC. 164. No office shall be created in addition to those provided for by this charter, unless by ordinance regularly adopted by the Council. Whenever in the judgment of

the Council no necessity exists for the continuation of any appointive office created or provided for by this charter, said Council, by an ordinance for that purpose, may discontinue such office; *provided, however*, the Council shall not have power to abolish or discontinue the office of Chief of Police or the office of City Engineer.

SEC. 165. All officers, deputies, clerks, and assistants of the city, and of the several departments thereof, must be citizens of the United States, and during their respective terms of office or employment must reside in the city, and where not otherwise provided for must, with the exception of the City Superintendent of Schools and teachers of the public schools, have been residents of the city one year next preceding their election or appointment. They, and each of them, shall perform such duties as may be required of them, respectively, by law, ordinance, or this charter, and shall only receive such compensation as may have been previously provided, and such compensation shall not be increased during the term of their respective offices or employment, except as in this charter provided.

SEC. 166. If any officer of the city shall remove from the city, or absent himself therefrom for more than thirty days, consecutively, without the permission of the Council, or shall fail to qualify by taking the oath of office and filing his official bond, whenever such official bond is required, within time required by this charter, or shall resign, or be convicted of felony or of malfeasance in office, or be adjudged insane, his office shall be and become vacant, and such vacancy shall be filled as in this charter provided.

SEC. 167. All books, papers, plats, charts, records, files, and stationery, made or made use of, by any officer or employe of the city, in the performance of his official duties, shall be deemed and considered as belonging to the city, and shall be delivered to his successor in office, who shall give duplicate receipts in writing therefor, one of which receipts shall be filed with the City Clerk.

SEC. 168. No officer or employe in any department of the city government shall ever be removed on account of his political or religious opinions.

SEC. 169. Whenever special meetings are called by the Council, Board of Education, or any other board of the municipality, notice thereof shall be served on each member personally, or by mail, addressed to him at his place of residence; if personally, at least one day before the meeting, and if by mail, the notice, postpaid, shall be deposited in the post office of the city at least two days before the time of meeting. At such special meeting no subject shall be considered except that specified in the notice.

SEC. 170. All ordinances, rules, resolutions, and other regulations of the City of Santa Barbara, in force at the time this charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed. All offices of the city heretofore existing shall, unless expressly continued by this charter, cease to exist at the time that this charter takes effect, and shall be supplanted by the offices herein provided for, and the incumbents of the offices so abolished shall surrender to the officers having like powers and duties, as provided by this charter, all moneys, bonds, contracts, books, accounts, records, files, furniture, and property of the offices so abolished. No business pending before any department or officer of the city at the time this charter takes effect shall be considered as lost, discontinued, or abandoned by reason thereof, but the same may be taken up, transacted, and completed before the proper department or officer provided for by this charter.

SEC. 171. The Council of the present City of Santa Barbara shall provide for the holding of the first election of officers under this charter; shall canvass the vote, declare the result, and approve the bonds of all officers elected at such election.

SEC. 172. This charter, except as to elections herein provided for, shall go into effect on the first Monday of January, 1900.

SEC. 173. No ordinance shall be suspended in its operation with respect to any person or persons, or corporation, nor shall any license or privilege be granted inconsistent with any ordinance; but all ordinances and resolutions purporting to grant such license or privilege, or to suspend the operation of any ordinance with respect to any person, or persons, or corporation, shall be void and shall not be available in defense of any action or proceeding to enforce obedience to such ordinance or punish the violation thereof.

SEC. 174. The word "charter" wherever used herein shall be so construed as to include any amendment to this instrument which may be adopted hereafter.

ARTICLE XVI.

SEC. 175. The Common Council may, on its own motion, and must, upon the petition of electors of the city equal in number to twenty-five per cent of the voters at the last preceding city election, submit any proposed amendment to this charter, at intervals of not less than two years, to the qualified electors of the city, at a general or special election held at least forty days after the publication of such proposals for twenty days in a daily newspaper of general circulation in the city, and such proposed amendments, if ratified by three fifths of the electors voting thereat, shall be submitted to the next session of the Legislature for approval.

CERTIFICATE.

Be it known, that the City of Santa Barbara, a city containing a population of more than 3,500, and less than 10,000 inhabitants, on the fourth day of April, 1898, at a general

municipal election, and under and in accordance with the provisions of Section 8, Article XI of the Constitution of the State of California, did elect B. F. Thomas, J. W. Taggart, A. Goux, A. M. Ruiz, A. Ott, R. F. Winchester, A. W. Buell, C. E. Bigelow, John F. Diehl, R. B. Canfield, C. E. Sherman, J. N. Hiller, George S. Edwards, W. A. Fiske, and H. G. Crane, a board of fifteen freeholders, to prepare and propose a charter for said city; and we, the members of said board, in pursuance of said provisions of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, consisting of sixteen articles and one hundred and seventy-five sections, as and for the charter of the City of Santa Barbara.

In addition to the foregoing charter, the Board of Freeholders, pursuant to said provision of the Constitution, also presents with said charter for the choice of the voters, and to be voted on separately, without prejudice to the other provisions and sections of said charter, two alternative propositions hereinafter stated and designated as alternative proposition number one and alternative proposition number two, respectively, one only of which shall become part of such charter.

Said alternative propositions shall be submitted for the choice of the voters at the same election at which the charter shall be submitted, and upon the ballots shall be printed:

“For alternative proposition number one,” and “For alternative proposition number two.”

Voters shall be entitled to vote for only one of said alternative propositions, and the alternative proposition receiving the greatest number of votes shall be thereby adopted and become Section 18 of the charter.

The said alternative propositions are as follows:

ALTERNATIVE PROPOSITION NUMBER ONE.

Section 18. The Mayor shall be entitled to receive as his compensation for all his official duties the sum of \$600 per annum, and each member of the Council shall be entitled to receive for his services the sum of \$360 per annum.

ALTERNATIVE PROPOSITION NUMBER TWO.

Section 18. The Mayor and members of the Council shall receive no compensation whatever for their services.

IN WITNESS WHEREOF, we have hereunto set our hands this 30th day of June, 1898. (Done in duplicate.)

B. F. THOMAS.
J. W. TAGGART.
A. GOUX.
A. M. RUIZ.
A. OTT.
R. F. WINCHESTER.
A. W. BUELL.
C. E. BIGELOW.
JOHN F. DIEHL.
R. B. CANFIELD.
C. E. SHERMAN.
J. N. HILLER.
GEO. S. EDWARDS.
W. A. FISKE.
H. G. CRANE.

MAYOR'S OFFICE, STATE OF CALIFORNIA, }
County of Santa Barbara, City of Santa Barbara. } ss.

I, Edmund M. Burke, Mayor of the City of Santa Barbara, in the County of Santa Barbara, and State of California, do hereby certify that the Board of Freeholders whose names appear signed to the foregoing proposed charter were, on the 4th day of April, 1898, at a general municipal election, held in said city on said day, duly elected by the qualified voters of said city to prepare and propose a charter for said city; that each of said freeholders had been a qualified elector and freeholder of said city for more than five years previous to said election; that the foregoing is the duplicate copy of said charter prepared and returned to me as Mayor by said Board of Freeholders within ninety days after said election, as required by Section 8 of Article XI of the Constitution of said State; that such proposed charter was then published in one daily newspaper of general circulation in said city, to wit: the Morning Press (said city containing a population of over 3,500 inhabitants, and less than 10,000 inhabitants), for more than twenty days, and that the first publication of said proposed charter was made within twenty days after the completion of said charter; that within not less than thirty days after the publication of said charter, as required by said Section 8, to-wit, on the 20th day of September, 1898, said charter was submitted to the qualified electors of said city at a special election duly held therein for the purpose of ratifying or rejecting said proposed charter and of adopting or rejecting alternative proposition number one or alternative proposition number two presented with said charter for the choice of said voters and to be voted on separately; that said proposed charter as a whole was duly ratified at said election by a majority of the votes of the qualified electors of said city, and that alternative proposition number one (allowing compensation to the Mayor and Council) was also ratified at the same time and in the same manner, and the same thereby became

and is Section 18 of Article III of said proposed charter; and that alternative proposition number two was rejected; that all of said elections and publications and acts, matters and things in connection with and relating to said proposed charter and alternative propositions were held, made, done, and occurred pursuant to the orders and resolutions and publications of the Mayor and Common Council of said city in compliance with Section 8 of Article XI of the Constitution of said State, and that returns of said election were duly canvassed by the said Mayor and Common Council, the first on April 7, 1898, and the second September 26, 1898, and the results thereof declared as above set forth, and that in all matters and things pertaining to said proposed charter the provisions of said section have been fully complied with.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city this 24th day of December, A. D. 1898.

[SEAL]

EDMUND M. BURKE, Mayor.

Attest: ALPHONSE CRANE, City Clerk.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (the majority of all the members elected to each house voting for and concurring herein), That said charter of the City of Santa Barbara, as presented to, and adopted and ratified by, the qualified electors of said city, including and embracing alternative proposition number one, as hereinabove set forth, be and the same is hereby approved as a whole, for and as the charter of said City of Santa Barbara aforesaid

The question being on the approval of charter.

The roll was called, and the Assembly approved the charter by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Crowder, Crowley, De Lancey, Devoto, Dibble, Feliz, Glenn, Hoey, Johnson, Kelsey, Knights, Knowland, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Valentine, Works, Wright, and Mr. Speaker—51.

NOES—None.

Assembly Concurrent Resolution No. 13 ordered to enrollment.

Mr. Wright moved that Assembly Concurrent Resolution No. 13 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 2, 121, and 84: Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Assembly Bill No. 121—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, Pilot Commissioners, and pilotage

Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

And were presented to the Governor February 14, 1899, at ten o'clock and thirty-five minutes A. M.

RICKARD, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States Soldiers, Sailors, and Marines, and to provide for the government thereof by the State," approved March 11, 1897.

Mr. Dibble moved that the further consideration of Assembly Bill No. 351 be made special order for Friday, February 18, 1899

So ordered.

UNFINISHED BUSINESS.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899

MR. SPEAKER: Your Committee on Rules and Regulations report the following amendments to the Standing Rules of the Assembly, and recommend that they be adopted:

That Rule XLIII be amended by the addition of the following:

"When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not in any case occupy more than two minutes.

"Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the General Appropriation Bill and the tax levy."

That Rule LVIII be amended by the addition of the following:

"No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion."

Also: That Rule LXVI be amended by the addition of the following:

"The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and it shall be enforced by the Speaker."

Also: That an additional rule be adopted as follows.

"Rule LXXVI. Introduction of bills after fiftieth day.

"On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

"All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of 'Introduction of Bills,' and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

"That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

"The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate special file.

"The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

"If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

"When a motion for leave to introduce a bill fails to receive the requisite two-thirds vote required by the Constitution, such bill shall not be again offered."

DIBBLE, Chairman.

Mr. Dibble moved that the report be adopted.

So ordered.

At eleven o'clock and thirty minutes A. M., the Speaker called Mr. Wade to the chair.

MOTION.

Mr. Rickard moved to reconsider the vote whereby Assembly Bill No. 322 was on yesterday refused final passage.

The question being on the motion to reconsider.

The roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Cargill, Chynoweth, Clark, Cobb, Cosper, Cowan, De Lancia, Devoto, Dibble, Henry, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Marvin, McKeen, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muenter, Radcliff, Raub, Raw, Rickard, Valentine, Wade, Works, and Wright—45.

NOES—Messrs. Boone, Brooke, Brown, Burnett, Caminetti, Clough, Conrey, Crowder, Dale, Fairweather, Feltz, Glenn, Greenwell, Hoey, McDonald of Alameda, McDonald of

Tuolumne, Mead, Meserve, Milice, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, and White—25

Mr. Dibble moved that Assembly Bill No. 322 be restored to its place on file.

So ordered.

RECESS.

At eleven o'clock and forty-five minutes A. M., on motion of Mr. Johnson, the Assembly took a recess until eleven o'clock and fifty-eight minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-eight minutes A. M., the Assembly reconvened.

Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 14, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—39.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Keneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve,

Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—75.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, February 13, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, February 13, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Hall, Langford, La Rue, Pace, Prisk, and Sims—12.

Whole number of votes cast by Senators.....	38
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr. received.....	7 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	12 votes

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conroy, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.
For C. N. Fellon—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.
For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Boone, Brooke, Caminetti, Cowan, Fairweather, Feliz, Glenn, Hoey, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, and White—14.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen.....	75
W. H. L. Barnes received.....	7 votes
M. M. Estee received.....	1 vote
R. N. Bulla received.....	9 votes
D. M. Burns received.....	19 votes
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	21 votes.
Irving M. Scott received.....	1 vote.
Stephen M. White received.....	14 votes.
John Rosenfeld received.....	1 vote.
James D. Phelan received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	113
Necessary to a choice	57
W. H. L. Barnes received.....	11 votes
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	13 votes.
D. M. Burns received.....	26 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	28 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	2 votes.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	26 votes.
James D. Phelan received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty minutes p. m., Senator Bettman moved to adjourn until Wednesday, February 15, 1899, at twelve o'clock m.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock m. of Wednesday, February 15, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-two minutes p. m., on motion of Mr. Wright, the Assembly took a recess until two o'clock p. m.

REASSEMBLED.

The Assembly reconvened at two o'clock p. m.
Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and

County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following temporary rules, under Standing Rule LXXVI of the Assembly:

First—That the bills on the "Second-Reading File" be considered at a session of the House to be held on Wednesday evening, February 15th, at eight o'clock, and that no other business be transacted pending the consideration of the bills on said file during said evening session except by unanimous consent.

Second—That the bills now carried on the file under "Unfinished Business," on the "Special Urgency File," be considered at a session of the House to be held Thursday evening, February 16th, at eight o'clock; that during consideration of said bills no other business be transacted, during said session, except by unanimous consent. Any bills upon said file of "Unfinished Business," not finally acted upon at said session, shall be returned to the "Special File."

Third—That at a session of the House to be held Friday evening, February 17th, commencing at eight o'clock, the "Third-Reading File" shall be considered; that no other business be transacted pending the consideration of bills upon said file at said session, except by unanimous consent.

DIBBLE, Chairman

Ordered printed in the Journal, and to lay over one day.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 536—have had the same under consideration, and respectfully report the same back, and recommend that same be withdrawn, and that Assembly Bill No. 702 be substituted therefor, and that same take the place on file of Assembly Bill No. 536.

MILICE, Chairman.

Assembly Bill No. 536 ordered withdrawn from file and Assembly Bill No. 702 substituted therefor.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 702—have had the same under consideration, and respectfully report the same back, and recommend that same do pass as Substitute for Assembly Bill No. 536, and that Assembly Bill No. 702 take the place on file of said Assembly Bill No. 536.

MILICE, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Read third time.

The question being on the final passage of the bill.

The roll was called, and pending the announcement of the result. Mr. Dibble moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland,

La Baree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, Wright, and Mr. Speaker—69.

Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

The result of the roll call was announced, and the bill refused passage by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boynton, Brooke, Brown, Cargill, Cobb, Crowly, De Lancie, Devoto, Dibble, Dunlap, Feliz, Hanley, Henry, Hoey, Kelley, Kelsey, Kenneally, Knights, La Baree, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Miller of San Francisco, Muentner, O'Brien, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, White, Wright, and Mr. Speaker—40

NOES—Messrs. Atherton, Belshaw, Bliss, Boone, Burnett, Caminetti, Clark, Clough, Conrey, Cosper, Cowan, Crowder, Dale, Fairweather, Glenn, Huber, Johnson, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, Melick, Meserve, Milice, Miller of Los Angeles, Radcliff, Raw, Robinson, Valentine, Wade, and Works—32

NOTICE OF RECONSIDERATION.

Mr. Caminetti gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 56 was this day refused final passage.

Mr. Dibble moved that Senate Bill No. 56 keep its place on file.

So ordered.

REPORT OF COMMITTEE OF CONFERENCE.

MR. SPEAKER: Your Committee of Conference of the Senate and Assembly on the disagreeing vote of the two houses on the Senate amendment to Assembly Constitutional Amendment No. 6, being a proposed amendment to Article XIII, relative to exempting from taxation churches and chapels—report that the Committee of Conference, appointed by the Senate and Assembly, met and duly organized and considered the matter, and unanimously agreed, and do recommend that the Assembly concur in the Senate amendment.

GILLETTE,
WOLFE,
ASHE,

Committee of Conference from Senate.

JOHNSON,
WORKS,
BOONE,

Committee of Conference from Assembly.

Report adopted.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendment to Assembly Constitutional Amendment No. 6:

Amend the title by adding after the word "taxation" the following: "of all buildings used solely and exclusively for religious worship, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, Devoto, Dibble, Fairweather, Glenn, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Baree, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—64.

NOES—Mr. Feliz—1.

Assembly Constitutional Amendment No. 6 ordered to engrossment and enrollment.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 351, 206, and 275.

Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon; to make the same a State Home for United States Soldiers, Sailors, and Marines, and to provide for the government thereof by the State," approved March 11, 1897.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Assembly Bill No. 275—An Act to improve the public service of the State of California.
RICKARD, Chairman.

Assembly Bills Nos. 351, 206, and 275 ordered on third-reading file.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed on file.

Senate Bill No. 31—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Mr. Knowland moved that Senate Bill No. 31 be returned to the Senate.

So ordered.

Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga mine, and making an appropriation therefor.

Passed on file.

Senate Bill No. 66 (Substituted for Assembly Bill No. 357)—An Act to amend Section 844 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Bliss, Boone, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Miller of Los Angeles, Muentner, O'Brien, Rickard, Robinson, Stewart, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—52.

NOES—Mr. Clough—1

Title read and approved.

Senate Bill No. 133 (Substituted for Assembly Bill No. 648)—An Act concerning registration for primary elections.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cowan, Crowley, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Miller of Los Angeles, Miller of San Francisco, O'Brien, Rickard, Stewart, Wade, White, Works, Wright, and Mr Speaker—48

NOES—None

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read first time, and referred to committee as follows:

By Mr. Rickard: Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1898.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 292, 480, 600, 538, 309, 34, 581, 3-5, 608, 609, 637, 347, 645, 435, 593, 482, 140, and 279.

Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales

Assembly Bill No. 480—An Act to amend Section 397 of the Penal Code, relating to the selling of liquor to habitual or common drunkards, minor children, idiots, insane or incompetent persons, and Indians, and relating to minors being allowed to remain in and about saloons and drinking places.

Assembly Bill No. 500—An Act to amend Section 472 of the Political Code of California, relating to Attorney-General.

Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic book-cases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor

Assembly Bill No. 34—An Act for the relief of W. C. Guirey.

Assembly Bill No. 581—An Act to provide payment of costs of suit in foreclosing delinquent purchasers of State school lands, and make appropriations therefor

Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act," approved March 31, 1897, relating to the classification of counties into agricultural districts

Assembly Bill No. 609 (Substitute for Assembly Bill No. 45)—An Act to amend Section 623 of the Penal Code, and to add a new section to the Penal Code to be known as Section 623½, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, exhibit, or other public place

Assembly Bill No. 637 (Substitute for Assembly Bill No. 120)—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State," as amended by an Act approved March 29, 1897, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State."

Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb and Blind Asylum for the grading and curbing of Waring Street, in front

of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Assembly Bill No. 645 (Substitute for Assembly Bill No 224)—An Act to amend Section 558 of the Penal Code, relating to malicious injuries to highways

Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic and foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Assembly Bill No. 593—An Act to amend Section 1395 of the Code of Civil Procedure.

Assembly Bill No. 482—An Act to amend Section 2955 of the Civil Code of the State of California

Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notice of location thereof, amending defective locations, and providing for the deposit of district records with County Recorder, and prescribing the effect to be given to recordation of notices of location and affidavit," approved March 27, 1897.

Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

RICKARD, Chairman.

Assembly Bills Nos. 292, 480, 500, 538, 309, 34, 581, 385, 608, 609, 637, 347, 645, 435, 593, 482, 140, and 279 ordered on file for third reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 30—An Act concerning elections, and providing for the election of delegates to nominating conventions of political parties at elections known and designated as primary elections.

Mr. Belshaw asked unanimous consent to withdraw pending amendments.

So ordered.

Mr. Belshaw moved to amend as follows:

Amend by inserting on line 15, after the words "his choice," Section 1374, page 9 of the engrossed printed bill, the words "*provided*, that on any such slip there may be printed a designation of the convention to which the delegates are to be elected."

Amendment adopted.

Senate Bill No. 30 ordered to print, engrossment, and third reading.

Senate Bill No. 83—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Dale, Devoto, Dibble, Felz, Hoey, Huber, Jilson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, O'Brien, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 46—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read second time.

Mr. Dibble moved that the House resolve itself into Committee of

the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 46.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 46 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 46—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor—and do now report the same back, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 46 ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 149, 265, and 329.

Assembly Bill No. 149—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Assembly Bill No. 265—An Act to amend Section 594 of the Code of Civil Procedure, relating to the manner of bringing an issue to trial

Assembly Bill No. 329—An Act to amend Section 3453 of the Political Code.

And were presented to the Governor, February 14, 1899, at three o'clock and forty-five minutes P. M.

RICKARD, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor and to appropriate money to enforce the same.

Passed on file.

Senate Bill No. 82—An Act authorizing the State Treasurer to furnish his office and the vault therein, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Blood, Brown, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cowan, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Henry, Hoey, Huber, Jilson, Johnson, Kelly, Kelsey, Kenneally, Le Baron, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Meserve, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raw, Rickard, Stewart, Eugene Sullivan, Valentine, White, Works, and Mr. Speaker—43.
NAYS—Messrs Lardner, E D Sullivan, and Wade—3.

Title read and approved.

MOTION.

Mr. Valentine moved to consider Assembly Bill No. 435.

So ordered.

Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any

county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read third time.

Mr. Valentine moved that Assembly Bill No. 435 be referred to a select committee of one, with instructions to amend as follows:

Amend by adding after the word "California," line 10, printed bill, the following words: "*provided*, the total tax levies for such purposes in any one year shall not exceed two cents on each one hundred dollars of taxable property in the county, according to the assessment roll."

So ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee

Report adopted.

Assembly Bill No. 435 ordered to print, engrossment, and third reading.

RESOLUTION.

By Mr. Dibble:

Resolved, That the State Printer be instructed to reprint 500 copies of the Standing Rules of the Assembly, and Joint Rules, together with Assembly committees, and an index.

Resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Clark: Assembly Bill No. 812—An Act appropriating \$5,000 for the purpose of sending an expert to Eastern cities of the United States to collect and gather information concerning the transportation and sales of deciduous fruits from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Kelley: Assembly Bill No. 813—An Act to enable cities of the third class to issue fiscal year bonds for the purpose of providing money for the payment of municipal expenses before the collection of taxes.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Lundquist: Assembly Bill No. 814—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653½, relating to the fees charged by employment agencies.

Read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock and twenty minutes P. M., on motion of Mr. Wright, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, February 15, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 15, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. P. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wright.

The Journal of Monday, February 13, 1899, was read and approved.

PETITIONS.

The following petitions were presented:

By Mr. Burnett: Relative to assistance to, or extension of time in which taxes can be paid by, drought-stricken residents of San Miguel, San Luis Obispo County, signed by three hundred and nineteen residents of said county.

Referred to Committee on Judiciary.

By Mr. Brooke: Relative to a Sunday law, signed by thirty-three residents of Sacramento County.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals of this State, hereby report that we have visited and thoroughly inspected the Southern State Hospital for the Insane, situated near San Bernardino; that we found said institution in good condition, and apparently well administered, but in an over-crowded condition; that unless additional room be provided for the accommodation of patients, it will be necessary from time to time to transfer patients which should be kept at that hospital to other and distant hospitals, at a large expense. We shall therefore recommend certain appropriations for the

purpose of enlarging the capacity of said hospital, for the accommodation not only of the patients already in said asylum, but also for the accommodation of additional members.

WADE, Chairman.
MESERVE.
LUNDQUIST.
MERRITT.
LA BAREE.
MARVIN.
CROWLY.
CARGILL.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 658—An Act to prevent the use of paranzela or dragnet in the waters of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EUGENE SULLIVAN, Chairman.

Assembly Bill No. 658 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

VALENTINE, Chairman

Assembly Bill No. 455 ordered on second-reading file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 487—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Also: Assembly Bill No. 226—An Act amending Section 2 of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, relating to the taking of samples from mines, and for the better protection of the stockholders in mining corporations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

RAUB, Chairman.

Assembly Bills Nos. 487 and 226 ordered on second-reading file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, having visited San Francisco, Berkeley, and Ione, for the purpose of investigating the State institutions at said places, submits its account for expenses as follows:

A. S. Crowder	\$28 40
J. D. Kelsey	28 40
G. W. Pierce	28 40
R. De Lancey	28 40
A. S. Milice	28 40
A. A. McKeen	28 40
J. M. Hanley	28 40
W. P. Boone	28 40
J. R. Knowland	28 40
J. A. Bliss	28 40
G. R. Stewart	28 40
S. B. Wilson, clerk	28 40

\$340 80

We ask for the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A. S. Crowder, chairman of said committee, for the sum of \$340 80, as per

above statement, said warrant to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

PRICE, Acting Chairman.

Report and resolution adopted.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

Mr. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State Hospitals in this State, having visited the Southern California State Hospital, situated in San Bernardino County, and having made a report of the condition thereof, herewith present their bill of expenses of the trip, as follows:

Wade	\$119 00
Lundquist	119 00
Merritt	119 00
Meserve	119 00
Cargill	119 00
Crowly	119 00
La Barea	119 00
Marvin	119 00
Boynton—substitute for Clark	119 00
Devoto—substitute for Dunlap	119 00
Total	\$1,190 00

We ask for the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of Owen Wade, chairman of the Committee on State Hospitals and Asylums, for the sum of \$1,190, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

WADE, Chairman.

Referred to Committee on Mileage.

MOTION.

Mr. Devoto moved that the Committee on Mines and Mining Interests be instructed to return, on or before February 18, 1899, Assembly Bill No. 355 to the House, said bill having been in said committee since January 26, 1899.

So ordered.

RESOLUTION.

By Mr. Belshaw:

WHEREAS, One year ago to-day two hundred and fifty of our noble sailors met their death in the Harbor of Havana, through the destruction of the Maine; therefore, be it

Resolved, That when the Assembly adjourns to-day, it does so in memory of those gallant heroes.

Resolution adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

Mr. Speaker: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 58, 151, and 465.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands

Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees

RICKARD, Chairman.

Assembly Bills Nos. 58, 151, and 465 ordered on third-reading file.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 551—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature

Also: Adopted Assembly Concurrent Resolution No. 13—Approving the charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, voted for and ratified by the qualified voters of said city at a special election held therein for that purpose on the twentieth day of September, 1898

Also: Passed Senate Bill No 59—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Also: Senate Bill No. 421—An Act to amend Section 1195 of the Political Code.

Also: Assembly Bill No. 229—An Act to select and adopt the "golden poppy" as the State flower of California.

Also. Amended, and passed as amended, Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V of the Political Code, relating to the State Library—and respectfully ask your concurrence in said amendments.

F. J. BRANDON, Secretary of Senate.

By ERNEST W. MICHAELIS, Assistant Secretary.

Senate Bill No. 551 ordered on Senate special file.

Assembly Concurrent Resolution No. 13 ordered to enrollment.

Senate Bill No. 59—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 421—An Act to amend Section 1195 of the Political Code.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 308 ordered on unfinished business file.

Assembly Bill No. 229 ordered to enrollment.

Assembly Bills Nos. 124 and 536 withdrawn by author.

RESOLUTION.

By Mr. Atherton:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Preston School of Industry, located at Ione, have visited the same.

The following members are entitled to mileage for same to wit, 108 miles:

J. W. Atherton, chairman	\$10 80
J. A. Beecher	10 80
J. Fairweather	10 80
F. B. Glenn	10 80
H. W. Miller, in lieu of L. A. Henry	10 80
C. W. Atherton, clerk	10 80

\$64 80

We ask for the adoption of the following:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of J. W. Atherton, chairman of said committee, for the sum of \$64 80, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

ATHERTON, Chairman.

Referred to Committee on Mileage.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 287, 288, 103, and 243

Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court."

Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court"

Assembly Bill No. 103—An Act providing for the dissolution and annulment of swamp and overflowed land reclamation districts for nonuser of corporate powers

Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

And are now in the hands of the committee for enrollment.

RICKARD, Chairman

Assembly Bills Nos. 287, 288, 103, and 243 ordered to enrollment.

INTRODUCTION OF BILLS, ETC.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Bliss: Assembly Bill No. 815—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

Read first time, and referred to Committee on Election Laws.

By Mr. McKeen: Assembly Bill No. 816—An Act making an appropriation to pay the claim of J. W. Travers, assignee of the Alameda Daily Evening Encinal, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Meserve: Assembly Bill No. 817—An Act making an appropriation to pay the claim of H. B. Martin & Son, proprietors of the San Bernardino Evening Transcript, for publishing constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Beecher: Assembly Bill No. 818—An Act to amend Section 833 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorders.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Blood: Assembly Bill No. 819—An Act for the enforcement of the fair and reasonable valuation of one hundred dollars' worth of labor or improvements annually upon all unpatented mining claims.

Read first time, and referred to Committee on Mines and Mining.

By Mr. Brown: Assembly Bill No. 820—An Act making an appropriation to pay the claim of L'Italia, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 821—An Act making an appropriation to pay the claim of the Redwood City Democrat, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Merritt: Assembly Bill No. 822—An Act to provide for the

payment of \$180 to John McGonigle, proprietor of the Ventura Democrat, for the advertising of constitutional amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Greenwell: Assembly Bill No. 823—An Act to amend Section 792 of the Political Code of the State of California, relating to restrictions as to residence of notaries public.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 824—An Act amending Section 3608 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Merrill: Assembly Bill No. 825—An Act to provide for the organization and management of livestock insurance companies.

Read first time, and referred to Committee on Corporations.

By Mr. Jilson: Assembly Bill No. 826—An Act to appropriate the sum of \$175 to pay the claim of Robert Nixon, for money due and owing the said Robert Nixon from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Pierce: Assembly Bill No. 827—An Act to provide for the payment of \$400 to Edward E. Leake, proprietor of the Woodland Democrat, for the advertising of constitutional amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Knowland: Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Atherton: Assembly Bill No. 829—An Act to amend Section 1 of an Act entitled "An Act to amend Section 862 of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883," approved March 18, 1897.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Miller of Los Angeles: Assembly Concurrent Resolution No. 15—Relative to the adjournment of the Legislature on the fourth day of March, A. D. 1899.

Read, and referred to Committee on Ways and Means.

By Mr. Merrill: Assembly Joint Resolution No. 21—Relative to the restraint of traffic of convict-made goods to the States or Territories in which they are manufactured.

Read, and referred to Committee on Federal Relations.

By Mr. White: Assembly Joint Resolution No. 22—Relative to the sale, manufacture, and stamping of goods made by convict labor.

Read, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Ways and Means introduce "An Act to provide for the payment of the claim of George H. Stewart, and making an appropriation therefor"—have had the same under consideration, and respectfully recommend that it do pass.

VALENTINE, Chairman.

INTRODUCTION OF BILL.

By Committee on Ways and Means: Assembly Bill No. 830—An Act to provide for the payment of the claim of George H. Stewart, and making an appropriation therefor.

Read first time, and placed on second-reading file.

MOTION.

Mr. Wright moved that the rules be suspended, and the Assembly do now take up the Governor's message.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 15, 1899.

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 121, 149, 265, and 329

HENRY T. GAGE,
Governor of the State of California

RESOLUTION—(OUT OF ORDER).

By Mr. Arnerich:

Resolved, That the Committee on Public Morals be granted leave of absence from Friday afternoon to Monday morning, to go to San Francisco, and that it be allowed the usual mileage for such purpose.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 706—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CARGILL, Chairman

Assembly Bill No. 706 ordered on second-reading file.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be re-referred to Committee on Ways and Means.

MELICK, Chairman.

Assembly Bill No. 542 re-referred to Committee on Ways and Means.

SPECIAL ORDER.

Assembly Bill No. 160—An Act to appropriate \$10,000 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State parasites and predaceous insects.

The question being: "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the Governor's veto sustained by the following vote:

AYES—None.

NOES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Knights, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, and Mr Speaker—51.

Assembly Bill No. 69—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

The question being: "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the Governor's veto sustained by the following vote:

AYES—None

NOES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Jilson, Kenneally, Knights, La Bree, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—58.

Mr. Dibble moved that the Governor's message relating to newspaper bills be referred to Committee on Ways and Means.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 116—An Act entitled "An Act to prohibit the sale, or offering for sale, or bringing into the State for the purpose of sale, or giving away, of any cigarettes, cigarette paper, or substitute therefor"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 448—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance of horses, except within the racetrack, inclosure, or fair ground wherein such trial or contest shall be had and occur, and to provide a punishment therefor—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith presented do pass, and Assembly Bill No. 448 be withdrawn.

Also: Assembly Bill No. 513—An Act entitled an Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as a slot machine within the State of California.

Also: Assembly Bill No. 685—An Act entitled an Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as a slot machine within the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

H. W. MILLER, Chairman.

Assembly Bills Nos. 116, 513, and 685 ordered on second-reading file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Atherton: Assembly Bill No. 831 (Substitute for Assembly Bill No. 448)—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein pool-selling or bookmaking is carried on, except within the racetrack,

inclosure, or fair grounds wherein such trial or contest shall be had and occur.

Read first time, and placed on second-reading file.

At ten o'clock and fifty minutes A. M., the Speaker called Mr. Works to the chair.

UNFINISHED BUSINESS FILE.

Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Mr. Cobb moved that the Assembly concur in the following Senate amendments.

AMENDMENT No. 1.

Amend by adding the words "or so much thereof as may be necessary," after the words "eleven thousand dollars," on line 4, Section 2, page 1 of printed bill.

AMENDMENT No. 2.

Amend by striking out all of Section 4, page 2, printed bill.

AMENDMENT No. 3.

Amend by striking out the figure "5," on line 1, Section 5, page 2 of printed bill, and inserting in lieu thereof the figure "4."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boynton, Brown, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Kelsey, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Wright—51.

NOES—None.

Assembly Bill No. 293 ordered to reengrossment and enrollment.

REPORT OF STANDING COMMITTEE.

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899

MR. SPEAKER: Your Committee on Rules and Regulations report the following temporary rules, under Standing Rule LXVI of the Assembly:

First—That the bills on the "Second-Reading File" be considered at a session of the House to be held on Wednesday evening, February 15th, at eight o'clock, and that no other business be transacted pending the consideration of the bills on said file during said evening session except by unanimous consent.

Second—That the bills now carried on the file under "Unfinished Business," on the "Special Urgency File," be considered at a session of the House to be held Thursday evening, February 16th, at eight o'clock, that during consideration of said bills no other business be transacted, during said session, except by unanimous consent. Any bills upon said file of "Unfinished Business," not finally acted upon at said session, shall be returned to the "Special File."

Third—That at a session of the House to be held Friday evening, February 17th, commencing at eight o'clock, the "Third-Reading File" shall be considered, that no other business be transacted pending the consideration of bills upon said file at said session, except by unanimous consent.

DIBBLE, Chairman

Report adopted.

UNFINISHED BUSINESS FILE—(RESUMED).

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.
Passed on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 577, 359, 504, 283, 603, and 188.

Assembly Bill No. 577 (Substitute for Assembly Bill No. 225)—An Act to prevent the spread of cholera, glanders, farcy, anthrax, splenic or Texas fever, or any contagious or infectious diseases peculiar to domestic animals.

Assembly Bill No. 359—An Act to amend Section 473 of the Code of Civil Procedure of the State of California, relating to relief from judgments, orders, or proceedings.

Assembly Bill No. 504—An Act to amend Sections 21, 22, 26, 28, 42, and 57 of an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts; and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Assembly Bill No. 603—(Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Assembly Bill No. 188—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 2039, concerning the manner in and the time within which certain objections to depositions shall be made.

RICKARD, Chairman.

Assembly Bills Nos. 577, 359, 504, 283, 603, and 188 ordered on third-reading file.

SPECIAL FILE.

Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs of the Capitol building and furniture for the fiftieth fiscal year.

Read second time.

Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Read second time.

Assembly Bill No. 697—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Works in the chair, for the purpose of considering Assembly Bills Nos. 695, 696, and 697.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 695, 696, and 697 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs of the Capitol building and furniture for the fiftieth fiscal year.

Also: Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Also: Assembly Bill No. 697—An Act making an appropriation to pay the deficiency

for stationery, fuel, light, and supplies for the Legislature and State officers for the fiftieth fiscal year.

And do now report, and recommend that they do pass.

WORKS, Chairman.

Report adopted.

Assembly Bills Nos. 695, 696, and 697 ordered to engrossment and third reading.

Assembly Bill No. 441--An Act to amend Section 7 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 23.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 10, Article IX thereof, confirming the founding of the Leland Stanford Jr. University, delegating certain powers to the trustees thereof, and authorizing the exemption of certain of its property from taxation

The Legislature of the State of California, at its thirty-third session, commencing on the 2d day of January, Anno Domini 1899, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that a new section be added to the Constitution of the State of California, to be known and designated as Section 10, Article IX thereof, as follows:

Section 10 The trusts and estates created for the founding, endowment, and maintenance of the Leland Stanford Jr. University, under and in accordance with "An Act to advance learning, etc.," approved March 9, 1885, by the endowment grant executed by Leland Stanford and Jane Lathrop Stanford on the 11th day of November, A. D. 1885, and recorded in Liber 83 of Deeds, at page 23 et seq., Records of Santa Clara County, and by the amendments of such grant, and by gifts, grants, bequests, and devises supplementary thereto, and by confirmatory grants, are permitted, approved, and confirmed. The Board of Trustees of the Leland Stanford Jr. University, as such, or in the name of the institution, or by other intelligible designation of the trustees or of the institution, may receive property, real or personal, and wherever situated, by gift, grant, devise, or bequest for the benefit of the institution, or of any department thereof, and such property, unless otherwise provided, shall be held by the trustees of the Leland Stanford Jr. University upon the trusts provided for in the grant founding the university, and amendments thereof, and grants, bequests, and devises supplementary thereto. The Legislature, by special Act, may grant to the trustees of the Leland Stanford Jr. University corporate powers and privileges, but it shall not thereby alter their tenure, or limit their powers or obligations as trustees. All property now or hereafter held in trust for the founding, maintenance, or benefit of the Leland Stanford Jr. University, or of any department thereof, may be exempted by special Act from State taxation, and all personal property so held, the Palo Alto Farm as described in the endowment grant to the trustees of the university, and all other real property so held and used by the University for educational purposes exclusively, may be similarly exempted from county and municipal taxation, *provided*, that residents of California shall be charged no fees for tuition unless such fees be authorized by Act of the Legislature.

Resolution read.

The question being: "Shall Assembly Constitutional Amendment No. 23 be adopted?"

The roll was called, and Assembly Constitutional Amendment No. 23 adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Mehek, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Wright—64.

NOES—Mr. Marvin—1

NOTICE OF RECONSIDERATION.

Mr. La Barea gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was this day adopted.

Assembly Constitutional Amendment No. 2—Relative to adding a new section, to be known and designated as Section 10 of Article IX thereof, confirming the founding of the Leland Stanford Jr. University, delegating certain powers to the trustees thereof, and exempting certain of its property from taxation.

Withdrawn by author.

Assembly Constitutional Amendment No. 7—Relative to exempting certain school property from taxation.

Mr. Dibble moved that Assembly Constitutional Amendment No. 7 be placed at the head of special file for to-morrow.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following committee under Rule LXXVI:

Cobb (Chairman), Dibble, and Caminetti.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 15, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—39.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Canunetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kennedy, Knights, Knowland, La Barce, Le Baron, Lardner, Lundquist, Marvin, McDonald

of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, February 14, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, February 14, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Currier, Gillette, Simpson, and Taylor—4.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.
For William T. Jeter—Senator Hall—1

Whole number of votes cast by Senators	38
W. H. L. Barnes received	4 votes.
R. N. Bulla received	4 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	11 votes.
William T. Jeter received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White

The roll was called, with the following result:

- For W. H. L. Barnes*—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Clark, Crowder, Dale, De Lancie,

Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radchiff, Raub, Raw, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Boone, Brooke, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, and White—16.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	16 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	113
Necessary to a choice	57
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	13 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	27 votes.
William T. Jeter received	1 vote.
James D. Phelan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-four minutes P. M., Assemblyman Dibble moved to adjourn until Thursday at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, February 16, 1899.

IN ASSEMBLY.

Speaker Anderson in the chair.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the House took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Anderson in the chair.

RESOLUTION.

By Mr. Dibble:

Resolved, That Senate Bill No. 551 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cospier, Dale, Devoto, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—68.

NOES—None.

Senate Bill No. 551—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature.

Read first and second times, and considered engrossed.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 551.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 551 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 551—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature—and do now report, and recommend that it do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 551 read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cospier, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Baree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Wade, White, Wright, and Mr. Speaker—62

NOES—None

Title read and approved.

Mr. Dibble moved that Senate Bill No. 551 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 104—An Act

to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

RICKARD, Chairman

Assembly Bill No. 104 ordered to third reading.

INTRODUCTION OF CONCURRENT RESOLUTIONS—(OUT OF ORDER).

By Mr. Caminetti: Assembly Concurrent Resolution No. 16—Relative to consent of the Legislature to the absence of the Governor of the State, Hon. Henry T. Gage, from the State for a period not to exceed four months.

Read, and made special order for Tuesday next.

By Mr. Johnson:

ASSEMBLY CONCURRENT RESOLUTION No. 17.

Resolved by the Assembly, the Senate concurring, That this, the thirty-third session of the California Legislature, shall adjourn *sine die* on Saturday, March 4, 1899, at the hour of twelve o'clock M.

Referred to Committee on Ways and Means.

RESOLUTION—(OUT OF ORDER).

By Mr. E. D. Sullivan:

Resolved, That the Assembly Committee on Commerce and Navigation be excused from Friday, February 17th, until Monday, February 20th, for the purpose of visiting San Pedro and examining matters contained in Assembly Bill No. 698, now before said committee.

Resolution adopted.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed on file.

Senate Bill No. 11—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Clark, Conrey, Cosper, Crowley, Dale, De Lancia,

Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raw, Robinson, Stewart, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—61.

NOES—Mr. Clough—1.

Title read and approved.

Senate Bill No. 30—An Act concerning elections, and providing for the election of delegates to nominating conventions of political parties at elections known and designated as primary elections.

Passed on file.

Senate Bill No. 46—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clark, Clough, Conrey, Cosper, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—59.

NOES—None

Title read and approved.

Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor, and to appropriate money to enforce the same.

Passed on file.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 277.

So ordered.

IN COMMITTEE OF THE WHOLE

Assembly Bill No. 277 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same—and do now report progress, and recommend that the committee be allowed to sit again.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 277 referred to Committee on Ways and Means.

Senate Bill No. 95—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read second time.

The following committee amendment was submitted:

Amend by striking out in line 8 of engrossed bill the words "elected according to law," and inserting in lieu thereof the words "elected by ballot at a primary election"

Amendment adopted.

Senate Bill No. 95 ordered to print and third reading.

Senate Bill No. 49—An Act to amend Sections 1094, 1095, 1096, 1097, 1101, 1103, 1104, 1105, 1113, 1115, 1116, 1130, 1204, and 1261, and to repeal Sections 1098, 1099, 1100, and 1114 of the Political Code.

Passed on file.

MOTION TO RECONSIDER.

Mr. Caminetti moved to reconsider the vote whereby Senate Bill No. 56 was refused final passage on yesterday.

The roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentz, O'Brien, Pierce, Radcliff, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—59

NOES—Mr. Conrey—1.

Senate Bill No. 56 ordered restored to file.

At three o'clock and ten minutes P. M., the Speaker called Mr. Johnson to the chair.

THIRD-READING FILE.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags and broken stones, and materials for State and county roads only, and articles consumed in the State institutions.

Passed on file.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags and broken stone, and materials for country roads only, and articles consumed in the State penal institutions."

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy

and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Mr. Mead moved that a select committee of one be appointed to amend as follows:

Amend printed bill by striking out of lines 10, 11, and 12 the words "together with such other assistants as may be necessary to perform the work."

So ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MEAD, Committee.

Report adopted.

Mr. Dunlap moved that a select committee of one be appointed, with instructions to amend Assembly Bill No. 376 as follows:

By striking out all after the word "wants," on line 19 of the printed bill, down to and including the word "objectionable," on line 22, page 2.

So ordered.

Mr. Dunlap was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DUNLAP, Committee

Report adopted.

Assembly Bill No. 376 ordered to print and recngrossment.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns within the State of California, and repealing conflicting Acts.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Clark, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Marvin, McKeen, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Rickard, Stewart, E. D. Sullivan, Wade, White, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Conrey, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—60.

NOES—Mr. Clough—1

Title read and approved.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Assembly Bill No. 492—An Act to reorganize the State Board of Health, and to grant it additional powers.

Passed on file.

Assembly Bill No. 393—An Act to secure to native born and naturalized citizens of the United States the exclusive right to labor on public works in this State.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Cowan, Crowder, De Lancia, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Miller of San Francisco, Muentner, O'Brien, Radcliff, Rickard, Stewart, Eugene Sullivan, Wade, White, Works, Wright, and Mr. Speaker—45.

NOES—Messrs. Atherton, Belshaw, Clough, Conrey, Cospier, Dale, Fairweather, Feliz, Glenn, Lardner, McDonald of Alameda, Melick, Merritt, Meserve, Miller of Los Angeles, Pierce, Robinson, and E. D. Sullivan—18.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Wade gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 393 was this day passed.

Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Glenn, Henry, Jilson, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, Mead, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raw, Rickard, Robinson, Wade, White, and Works—52.

NOES—Mr E. D. Sullivan—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Knights:

Resolved, That the following members of the Assembly, to-wit: Assemblymen Arnerich, Caminetti, Cobb, Knights, Works, and Valentine, and J. L. Maude, assistant clerk, composing a sub-committee from the Committee on Ways and Means, which committee visited the Ione Reform School on Sunday and Monday last, be allowed mileage for sixty-three miles for such purpose, and that the State Controller be directed to draw his warrants against the Contingent Fund of the Assembly in favor of said persons, in the amount of \$12 60 each, and that the State Treasurer pay the same.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Assembly Concurrent Resolution No. 9—Relative to the election of United States Senators.

Passed on file.

Mr. Conrey moved that Assembly Bill No. 245 be passed on file.

Lost.

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Read third time.

PREVIOUS QUESTION.

Pending consideration, Mr. Dibble moved the previous question.

The question being, "Shall the main question be now put?"

So ordered.

The question now being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boynton, Brown, Burnett, Clark, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Glenn, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Miller of San Francisco, Muenter, O'Brien, Raub, Raw, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, and Wright—53.

NOES—Messrs. Brooke, Caminetti, Conrey, Feliz, Mead, Meserve, Miller of Los Angeles, Pierce, and White—9.

Title read and approved.

RECESS.

At four o'clock and thirty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

Mr. Dibble moved to take up Senate messages.
So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 670—An Act making an appropriation for the support of the State Printing Office.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 670 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee of Conference on amendments to Assembly Constitutional Amendment No. 6.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Constitutional Amendment No. 6 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 42—An Act to amend an Act entitled "An Act authorizing boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations," approved March 26, 1895.

Also: Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California

Also: Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy or conceal the duly-filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Also: Amended, and passed as amended, Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code—and respectfully ask your concurrence in the said amendments.

Also: Concurred in Assembly amendments to Senate Bill No. 11.

Also: Passed Senate Bill No. 593 (case of urgency)—An Act to appropriate \$7,500 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State for general distribution parasitical and predaceous insects which, in those countries, prey upon such species of fruit and tree pests as abound in the orchards of this State.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 42, 157, and 23 ordered to enrollment.

Assembly Bill No. 117 ordered on unfinished business file.

Senate Bill No. 593 ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 5—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of its proceeds,' approved March 23, 1893," approved March 9, 1897.

Also: Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Also: Senate Bill No. 10—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands,' approved April 15, 1880"; approved March 19, 1889.

Also: Senate Joint Resolution No. 11—Relative to money due and unpaid to the State of California from the National Government for fitting out volunteers

Also: Senate Bill No. 211—An Act making an appropriation to pay the claim of Thomas Hatch.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 5 referred to Committee on Judiciary.

Senate Bill No. 177 referred to Committee on Corporations.

Senate Bill No. 10 referred to Committee on Swamp and Overflowed Lands and River Improvements.

Senate Joint Resolution No. 11 referred to Committee on Federal Relations.

Senate Bill No. 211 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendment to Senate Bill No. 66, and respectfully ask that your honorable body recede from said amendment.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 66 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Bill No. 83.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

At eight o'clock and five minutes P. M., the Speaker called Mr. Dibble to the chair.

SECOND-READING FILE.

Assembly Bill No. 196—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing certain conflicting Acts.

Assembly Bill No. 196 withdrawn by author, and Assembly Bill No. 652 substituted therefor.

Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor.

Passed on file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California

by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Passed on file.

Assembly Bill No. 745 (Substitute for Assembly Bills Nos. 222 and 223)—An Act to abolish the office of Quarantine Officer for the Board of Health for the City of San Francisco.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 503 (Substitute for Assembly Bill No. 307)—An Act providing for the location of sites for reservoirs to store flood waters, near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Passed on file.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Ordered restored to file.

Assembly Bill No. 718 (Substitute for Assembly Bill No. 462)—An Act repealing an Act entitled "An Act concerning actions for libel and slander, approved March 23, 1872, and all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions for libel and slander.

Withdrawn by author.

Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Passed on file.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 171—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor.

Assembly Bill No. 171 withdrawn by author, and Assembly Bill No. 651 substituted therefor.

Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor if successful.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 651.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 651 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor if successful—and do now report and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 651 ordered engrossed and to third reading.

Assembly Bill No. 364—An Act entitled "An Act amending Section 204 of the Code of Civil Procedure of the State of California," concerning the selecting and returning of jurors.

Withdrawn by author, and Assembly Bill No. 596 substituted therefor.

Assembly Bill No. 596—An Act to amend Section 3640 of the Political Code of the State of California, relating to Assessors' field enrolling book.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 493—An Act to repeal Section 3640 of the Political Code of the State of California, relating to field enrollment book of Assessors.

Withdrawn by author, and Assembly Bill No. 365 substituted therefor.

Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting in line 23 of printed bill, after the words "female crab," the following: "every person who, at any time, exports, buys, sells, exposes, or offers for sale any abalone or abalones less than five inches in length."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out from line 25 of the printed bill, commencing with the words "every person," down to and including the word "shrimp," in line 28.

Amendment adopted.

Assembly Bill No. 365 ordered to print, engrossment, and third reading.

Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Passed on file.

Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Passed on file.

Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 433—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Passed on file.

Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Passed on file.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs of children," approved March 29, 1878.

Passed on file.

Assembly Bill No. 7—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists.

Withdrawn by author.

Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Read second time.

Mr. Wade moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 607.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 607 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor—and do now report and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 607 ordered to engrossment and third reading.

Assembly Bill No. 74—An Act creating a Livestock Sanitary Commission for the State of California, to protect the health of domestic animals of the State from all infectious or contagious diseases.

Passed on file.

Assembly Bill No. 638 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Passed on file.

Assembly Bill No. 297—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Passed on file.

Assembly Bill No. 298—An Act to amend Sections 1790 and 1791 of the Political Code, relative to City Boards of Examination.

Passed on file.

Assembly Bill No. 639 (Substitute for Assembly Bill No. 295)—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1650, 1663, 1667, 1677, 1674, 1713, 1714, 1768, 1830, 1858, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 295—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add a new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rogers for services as elevator attendants in the Capitol building.

Passed on file.

Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Read second time.

The following committee amendment was submitted:

Amend Section 2, printed bill, by adding the following: "*provided, nevertheless, that any corporation which shall heretofore have complied with the requirements of Section 1 of the Act of which this is amendatory shall not be required to make or file any further designation of the person upon whom process may be served, but such former designation shall be deemed and taken to be a full compliance with the requirements of this Act.*"

Amendment adopted.

Assembly Bill No. 183 ordered to engrossment and third reading.

Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 573.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 573 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith—and do now report the same, with amendments, without recommendation.

DIBBLE, Chairman.

Report adopted.

The following committee amendment was submitted:

Amend by striking out the words and figures "ten thousand dollars (\$10,000)" where they occur in line 1 of Section 1 of page 1 of the printed bill, and inserting in lieu thereof the words and figures: "two thousand five hundred dollars (\$2,500)."

Amendment adopted.

By Mr. Cowan:

Amend by striking out the words "ten thousand dollars," on line 1, Section 1, page 1, printed bill, and inserting in lieu thereof the words "one dollar."

Amendment lost.

Assembly Bill No. 573 ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 559, 644, 662, 695, 696, 697, and 441.

Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8, of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Assembly Bill No. 644 (Substitute for Assembly Bill No. 256)—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor; to improve and rectify water channels; to erect works necessary and incident to said drainage; to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works.

Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs of the the Capitol building and furniture for the fiftieth fiscal year.

Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Assembly Bill No. 697—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and the State officers for the fiftieth fiscal year.

Assembly Bill No. 441—An Act to amend Section 7 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 124, 211, 274, 326, 384, 478, and 509

Assembly Bill No. 124—An Act to provide for the inspection of dairies, factories of dairy products, and dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Assembly Bill No. 274—An Act making an appropriation to pay the claim of J. H. Polk against the State of California.

Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries in Sisson and Price Creek.

Assembly Bill No. 384—An Act relating to "grub-stake contracts."

Assembly Bill No. 478—An Act regulating the cancellation of fire insurance policies, and providing penalties for refusing to cancel the same.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners

to provide for the heating, lighting, and repairs, and renewal or furnishings of said mansion, and providing for the number and salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

And are now in the hands of the committee for enrollment.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly engrossed: Assembly Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 10, Article IX, thereof, confirming the founding of the Leland Stanford Jr. University, delegating certain powers to the trustees thereof, and authorizing the exemption of its property from taxation—and is now in the hands of the committee for enrollment.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 45, 302, and 273, and Assembly Constitutional Amendment No. 6.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article XIII, relative to exempting from taxation churches and chapels.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of annexed territory.

Assembly Bill No. 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of all assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

And are now in the hands of the committee for enrollment.

RICKARD, Chairman.

Assembly Bills Nos. 559, 644, 662, 695, 696, 697, 441, 124, 211, 274, 326, 384, 478, and 509 ordered on third-reading file.

Assembly Constitutional Amendments Nos. 23 and 6, and Assembly Bills Nos. 45, 302, and 273 order to enrollment.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 272—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

Read second time.

Ordered to engrossment and third reading.

Assembly Bill No. 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys in the San Francisco Depot Sinking Fund.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 459—An Act to amend Section 2440 of the Political Code of the State of California, approved March 12, 1872,

relating to the appointment of Pilot Commissioners for San Francisco, Mare Island, and Benicia.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 668.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 668 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same—and do now report the same back, with amendments, and recommend that the same do pass as amended.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Mr. Johnson moved to amend as follows:

Amend by adding in Section 8, after the end of said Section, on line 4, page 3, printed bill, the following: "Warrants shall be drawn by the Controller upon orders audited by said Folsom Highway Commissioners, and approved by the Board of Examiners."

Amendment adopted.

Assembly Bill No. 668 ordered to print, engrossment, and third reading.

Assembly Bill No. 11—An Act to provide for the construction of a State highway or wagon road from Sacramento City to the Town of Folsom, in Sacramento County, creating the offices of Folsom Highway Commissioners, providing for the appointment of an auditing board to the Folsom Highway Commissioners, authorizing and directing said commissioners and said auditing board to perform certain duties relating to the construction of such highway or wagon road, to condemn land and property for the purpose aforesaid, appropriating crushed rock and granite and stone blocks for drains, culverts, and bridges for the same, and making an appropriation for the expenditures and purposes provided in this Act.

Withdrawn by author.

Assembly Bill No. 254—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III, of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said Chapter II of Title VI of Part III of said Code, and substitute the same in the place of said repeal chapter in said Code, relating to roads and highways," approved February 28, 1883, relating to roads and highways.

Withdrawn by author, and Assembly Bill No. 622 substituted therefor.

Assembly Bill No. 622—An Act to amend an Act entitled "An Act to appropriate money for the support of orphans, half-orphans, and abandoned children," approved March 25, 1880.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "which," on line 6, Section 1, page 1, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend on line 11, Section 1, page 1, printed bill, by adding after the word "the" the word "location."

Amendment adopted.

Mr. Johnson moved to amend as follows:

Amend by striking out all the words after the word and figure "Sec. 2," on line 17, page 1, printed bill, and inserting in lieu thereof the following:

"All Acts and parts of Acts in conflict with this Act are hereby repealed.
"Sec. 3 This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 255 ordered to print, engrossment, and third reading.

Assembly Bill No. 392—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Passed on file.

Assembly Bill No. 239—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Read second time.

The following committee amendment was submitted:

Amend by adding to line 10, Section 1, page 1 of printed bill, the following: "Failure to comply with the provisions herein stated shall work a forfeiture of the franchise or privilege."

Assembly Bill No. 239 ordered to print, engrossment, and third reading.

Assembly Bill No. 505—An Act to provide for the employment of the needy unemployed, and of vagrants under sentence.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 343—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 690 (Substitute for Assembly Bills Nos. 290 and 350)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Read second time.

Mr. Conrey moved that the Assembly do now resolve itself into Committee of the Whole, for the purpose of considering Assembly Bill No. 690.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 690 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 690—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor—and do now report the same, with amendment, and recommend that the same do pass as amended.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 690 (Substitute for Assembly Bills Nos. 290 and 350)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

The following committee amendment was submitted:

Amend by inserting the words "other than State Hospitals," after the word "hospitals," on line 7, Section 3, page 2, printed bill.

Amendment adopted.

Assembly Bill No. 690 ordered to print, engrossment, and third reading.

Assembly Bill No. 123—An Act to prevent the maintenance against the State, or any officer thereof, by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county, or any officer thereof, for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Passed on file.

Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

Read second time.

The following committee amendments were submitted:

Amend by striking out all of the bill down to Section 5, after the word "examiners," line 9, Section 2, page 2, printed bill, and inserting in lieu thereof the words "Such

board shall transmit a statement thereof to the next session of the Legislature, with such recommendation thereon as it may deem fit."

Amendment adopted.

By Mr. Dunlap:

Amend by striking out all after the word "societies" in the title of the bill.

Amendment adopted.

Assembly Bill No. 105 ordered to print, engrossment, and third reading.

Assembly Bill No. 346—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlements of accounts of trustees after distribution of estates, and to compensation of trustees.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Passed on file.

Assembly Bill No. 569—An Act to amend Section 602 of the Penal Code of the State of California, and to add a new subdivision thereto, to be known as subdivision 8, making it a misdemeanor for animals to trespass upon property of another.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 613—An Act requiring hotel and lodging-house keepers to keep ropes in sleeping-rooms to facilitate escape in case of fire.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations when found necessary, without offering the same for sale, excepting from the operations of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "terminal," line 22, page 2, printed bill, insert the words "not to exceed one thousand (1,000) feet," and strike out same words in line 23 of same page.

Amendment adopted.

AMENDMENT No. 2.

After the word "commissioners," on line 28, page 2, printed bill, insert the following: "All of the provisions of this chapter not in conflict with anything in this section contained are hereby made applicable to all proceedings had under this section."

Amendment adopted.

Assembly Bill No. 440 ordered to print, engrossment, and third reading.

Assembly Bill No. 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 585—An Act to amend Section 529 of the Code of Civil Procedure of the State of California, relating to injunctions, approved April 15, 1880.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 409—An Act to amend Section 592 of the Penal Code of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 410—An Act to add a new section to the Penal Code of the State of California.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "and," in line 9, Section 1, page 1, printed bill, and insert in lieu thereof the word "or."

Amendment adopted.

AMENDMENT No. 2.

After the word "dollars," in line 10, Section 1, page 1, printed bill, insert the words "or by both such fine and imprisonment."

Amendment adopted.

Assembly Bill No. 410 ordered to print, engrossment, and third reading.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Passed on file.

Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor.

Read second time.

Mr. Conrey moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 208.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 208 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor—and do now report the same back with amendments, and recommend that the same do pass as amended

DIBBLE, Chairman

Report adopted.

Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "and the several salaries, compensations, and necessary expenses of the commission," on lines 9 and 10, Section 4, fifth page, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "monthly," on line 12, Section 4, fifth page, printed bill.

Amendment adopted.

AMENDMENT No. 3

Amend by striking out the words "now existing or that may be," on line 3, Section 7, sixth page, printed bill, and inserting in lieu thereof the words "that shall."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the words "and no person merely employed as a laborer or workman," on lines 6 and 7, Section 7, sixth page, printed bill.

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the words "unless by direction of the Senate," on line 8, Section 7, fifth page, printed bill.

Amendment adopted.

Assembly Bill No. 208 ordered to print, engrossment, and third reading.

Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Read second time.

Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District, and the trustees thereof, against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis. Read second time.

Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company, for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

Read second time.

Mr. Belshaw moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bills Nos. 77, 78, 79, 555, 82, 597, 76, 80, 81, 574, and 618.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 77, 78, 79, 555, 82, 597, 76, 80, 81, 574, and 618 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Also: Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District, and the trustees thereof, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis.

Also: Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company, for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

And do now report the same back, and recommend that they do pass, except that Assembly Bills Nos. 82, 76, 80, and 81 are reported with amendments—and recommend that they do pass as amended.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Ordered to engrossment and third reading.

Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Ordered to engrossment and third reading.

Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Ordered to engrossment and third reading.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Ordered to engrossment and third reading.

Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend Section 1 of printed bill by striking out the word "two" and inserting in lieu thereof the words "one hundred and fifty."

Amendment adopted.

Assembly Bill No. 82 ordered to print, engrossment, and third reading.

Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Ordered to engrossment and third reading.

Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District and the trustees thereof against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend Section 1 of printed bill by striking out the words "sixty-one hundred" inserting in lieu thereof the words "three thousand."

Amendment adopted.

Assembly Bill No. 76 ordered to print, engrossment, and third reading.

Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend Section 1 of printed bill by striking out the words "one thousand" and inserting in lieu thereof the words "eight hundred and fifty."

Amendment adopted.

Assembly Bill No. 80 ordered to print, engrossment, and third reading.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

The following committee amendment was offered:

Amend Section 1 of printed bill by striking out the word "three" and inserting in lieu thereof the word "two."

Amendment adopted.

Assembly Bill No. 81 ordered to print, engrossment, and third reading.

Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis.

Ordered to engrossment and third reading.

Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

Ordered to engrossment and third reading.

Assembly Bill No. 549—An Act to prohibit corporations doing a fire or marine, or fire and marine, insurance in this State, from advertising or publishing in this State any statement of capital not fully paid up in

cash, or any assets not liable for losses in the United States, or of any assets not subject to the jurisdiction of the courts of the United States.

Read second time.

The following committee amendment was submitted:

Amend by striking out all of Section 3, page 1, printed bill.

Amendment adopted.

Assembly Bill No 549 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At nine o'clock and fifty-five minutes P. M., on motion of Mr. Bliss, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, February 16, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 16, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Atherton, Beecher, Bliss, Blood, Boone, Brown, Burnett, Chynoweth, Clark, Cobb, Conrev, Cospier, Crowder, Crowley, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—56.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. B. W. Perry.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Kelsey for the day, on motion of Mr. Clark.

Mr. Kelley was granted leave of absence for the day, on motion of Mr. Bliss.

Mr. Brooke was granted leave of absence, on motion of Mr. E. D. Sullivan.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Valentine.

The Journal of Tuesday, February 14, 1899, was read and approved.

MOTIONS.

Mr. Valentine moved that Senate Bill No. 211—An Act making an appropriation to pay the claim of Thomas Hatch (now before the Committee on Ways and Means)—be recalled from said committee and substituted for Assembly Bill No. 240—An Act making an appropriation to pay the claim of Thomas Hatch (No. 65 on this day's file)—the bills being identical.

So ordered.

Mr. Dibble moved that the action of the Assembly that ordered Assembly Bills Nos. 76, 80, 81, and 82 to print and engrossment be reconsidered, and that the same be returned to their former places on the file.

So ordered.

PETITION.

Presented by Mr. Robinson: Relative to the erection of a monument to the memory of Abraham Lincoln, signed by eighteen residents of Nevada County.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 335—An Act to amend Section 3491 of the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 727—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Also: Assembly Bill No. 106—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Also: Assembly Bill No. 6—An Act to amend an Act entitled "An Act to provide for the issuing of bonds by reclamation districts, and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DUNLAP, Chairman.

Assembly Bills Nos. 335, 727, 106, and 6 ordered on second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 437—An Act to amend Section 1 of "An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have an interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto.

Also: Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines.

Also: Assembly Bill No. 507—An Act to amend Section 1880 of the Political Code of the State of California, relating to the issue of bonds of school districts.

Also: Senate Bill No. 421—An Act to amend Section 1195 of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 502—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 218—An Act requiring the making and recording of maps of cities, towns, and additions to cities or towns, and subdivisions of lands into small lots or tracts for the purposes of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded, and providing for the recording of

maps now on file in Recorder's office—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 737—An Act adding four new sections to the Political Code of this State, to be numbered consecutively Sections 1674, 1675, 1676, and 1677, authorizing school districts to establish and maintain day schools for the deaf, etc.

Also: Assembly Bill No. 775—An Act providing that certain Justices' Courts and Justices of the Peace shall have jurisdiction of cases of violation of city ordinances.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 437, 629, 507, 502, 218, 737, and 775 ordered on second-reading file.

Senate Bill No. 421 ordered on Senate special file.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 531—An Act to punish parents, guardians, or persons permitting the malformation, etc., of minor children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

H. W. MILLER, Chairman.

Assembly Bill No. 531 ordered on second-reading file.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 515—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Also: Assembly Bill No. 516—An Act to change and permanently locate the boundary line between the counties of Plumas and Tehama.

Also: Assembly Bill No. 517—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Also: Assembly Bill No. 589—An Act to establish, ratify, and confirm the north boundary line of San Mateo County, between the counties of San Mateo and San Francisco, as the same was surveyed by Charles S. Tilton, William B. Gilbert, and D. Bromfield, between August 28, 1898, and December 28, 1898, to be the true boundary line between the counties of San Mateo and San Francisco, State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 518—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Also: Assembly Bill No. 567—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new formed counties, and the county or counties from which they are formed.

Also: Assembly Bill No. 514—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Have had the same under consideration, and respectfully report the same back, without recommendation.

ARNERICH, Chairman.

Assembly Bills Nos. 515, 516, 517, 589, 518, 567, and 514 ordered on second-reading file.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

DE LANCIE, Chairman.

Assembly Bill No. 681 ordered on second-reading file.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 533—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California from the year 1850 to 1899—have had

the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLEY, Chairman.

Assembly Bill No. 533 ordered on second-reading file.

ON CONTESTED ELECTIONS.

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of McIver vs. Mack, beg to submit the following:

Expenses of Finley McIver, contestant.

Clerk's and notary's fees in filing complaint in the Superior Court of the County of Inyo.....	\$10 00
Service of notice and complaint.....	1 50
Sheriff's fees in subpoenaing seven witnesses, and mileage.....	21 00
Witness fees as follows:	
D. J. Hession, one day.....	\$2 00
Lee Wilkerson, one day.....	2 00
L. L. Hawkins, one day, and ten miles.....	4 00
T. E. Trimmer, one day, and eighteen miles.....	5 60
A. W. Hausinger, one day, and twenty miles.....	6 00
L. Bergevin, one day, and twenty miles.....	6 00
W. C. Musser, one day, and twenty miles.....	6 00
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Car fare and expenses of self in attendance on committee.....	31 60
Expenses of attorney in attendance on committee.....	108 00
Notary's fees on depositions, including seventy-six folios at thirty cents.....	26 30
Service of notice of depositions, and mileage.....	5 80
Depositions before A. B. Davidson and A. C. Harvey, Justices of the Peace, sixty-three folios.....	22 60
Fees of notary, County Clerks, and Justices of the Peace in taking depositions.....	30 00
Telegrams.....	4 60
F. H. Powers, advising with attorneys in matter of taking depositions in preparation of case, appearance before committee, arrangement for argument, preparation of authorities and arguing case, ten days in all.....	350 00
Stenographer's fees in copying depositions.....	12 00
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Total.....	\$648 80

Amount approved by the committee, as follows

Clerks and notary's fees filing complaint in the Superior Court of the County of Inyo.....	\$6 50
Service of notice and complaint.....	1 50
Sheriff's fees in subpoenaing seven witnesses, and mileage.....	21 00
Witness fees, seven witnesses and mileage.....	22 00
Car fare and expenses of F. McIver, contestant in attendance on committee in Sacramento.....	70 00
Traveling expenses of attorney in attendance on committee.....	15 00
Notary's fees on deposition, including seventy-six folios.....	15 20
Service of notice of depositions and mileage.....	5 80
Depositions before A. B. Davidson and A. C. Harvey, Justices of the Peace, sixty-three folios.....	12 60
Fees of notary, County Clerk, and Justices of the Peace in taking depositions.....	30 00
Telegrams.....	4 60
F. H. Powers, attorney's fees.....	200 00
Stenographer's fees in copying depositions.....	12 00
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Total.....	\$416 20

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$416 20, in favor of Frank H. Powers, attorney for contestant, to be by him distributed in accordance with bills allowed.

Expenses of P. H. Mack, contestee

Advising with Attorneys Reddy, Campbell & Metson, and appearance of Attorney Metson before the Committee on Contested Elections, arrangement for argument, preparation of authorities, and argument of the case, seven days in all.....	\$350 00
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And we offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and

the Treasurer is instructed to pay the same, for \$200, in favor of Reddy, Campbell & Metson, attorneys for contestee

COSPER, Chairman.

Ordered printed in the Journal, and to lay over one day.

Also:

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Brophy vs. O'Brien, beg to submit the following:

Expenses of Thomas E. Brophy, contestant.

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco.....	\$10 00
Service of notice and complaint.....	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice and commission, and copies thereof, sixty-two folios, at twenty cents a folio for originals and ten cents a folio for copies.....	24 80
Fees subpoenaing witnesses, and mileage.....	58 00
Expenses in obtaining witnesses and preparation for trial of case.....	75 00
Fees, twenty-seven witnesses, one day each.....	54 00
Justices of the Peace F. H. Kerrigan and J. E. Barry.....	60 00
Expense of self in attendance on committee at Sacramento.....	110 00
F. H. Powers in attendance on committee, three trips to Sacramento.....	42 00
George H. Hawes, shorthand reporter, four days at \$10.....	\$40 00
Transcript of testimony and proceedings furnished contestant, 1,062 folios at twenty cents.....	212 00
Copy of testimony in behalf of contestant, 690 folios at ten cents.....	69 00
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Frank H. Powers, attorney's fees.....	500 00
J. W. Johnson, attorney's fees.....	500 00
Expenses of J. W. Johnson, in attendance on committee.....	33 00
Telegrams.....	3 40
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Total.....	\$1,793 10

Amount approved by your committee in the case of the contestant is as follows:

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco.....	\$6 50
Service of notice and complaint.....	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice and commission, and copies thereof, sixty-two folios, at ten cents a folio for originals and five cents a folio for copies.....	12 40
Fees subpoenaing witnesses and mileage.....	58 00
Fees, twenty-seven witnesses one day each.....	54 00
Justices of the Peace F. H. Kerrigan and J. E. Barry.....	20 00
Expenses of self in attendance on committee at Sacramento.....	25 00
F. H. Powers in attendance on committee, three trips to Sacramento.....	25 00
George H. Hawes, shorthand reporter, as follows:	
Four days at \$5.....	\$20 00
Transcript of testimony and proceedings furnished contestant.....	53 10
Copy of testimony on behalf of contestant.....	17 25
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Frank H. Powers, attorney's fees.....	90 35
J. W. Johnson, attorney's fees.....	100 00
Expenses of J. W. Johnson, in attendance on committee.....	33 00
Telegrams.....	3 40
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Total.....	\$329 15

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of Frank H. Powers, attorney for contestant, in the sum of \$329 15, to be by him distributed in accordance with bills allowed.

Expenses of Daniel S. O'Brien, contestee.

Clerk's fee, filing appearance.....	\$2 00
Fifteen witnesses, one day each, at \$2 00.....	30 00
Henry O'Brien, investigating and finding witnesses.....	50 00
Henry O'Brien, serving subpoenas.....	21 00
Henry O'Brien, mileage on same.....	2 10
Reporter's fees, Ernest J. Mott, four days at \$10.....	\$40 00
Transcript of testimony furnished contestee, 1,062 folios at twenty cents.....	212 40
Copy of testimony for contestee, 372 folios at ten cents.....	37 20
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	289 60

Notary's fee on appearance.....	\$0 50
Mileage of D. S. O'Brien, contestee, to San Francisco and return	18 00
Typewriting.....	10 00
Two commissioners, one half of fee, four days at \$10	40 00
W. H. Chapman, attorney's fee.....	1,250 00
W. H. Chapman, expenses, two trips to Sacramento in attendance on committee.....	50 00
Total	\$1,750 00

Amount approved by your committee.

Clerk's fee, filing appearance.....	\$2 00
Fifteen witnesses, one day each at \$2.....	30 00
Henry O'Brien, serving subpoenas.....	21 00
Henry O'Brien, mileage on same.....	2 10
Reporter's fees, taking and transcribing testimony.....	82 40
Notary's fee, on appearance.....	50
Expense of D. S. O'Brien to San Francisco and return	5 00
Two commissioners, one half of fee, four days at \$4	20 00
W. H. Chapman, attorney's fee.....	200 00
W. H. Chapman, expenses, two trips to Sacramento in attendance on committee.....	25 00
Total	\$388 00

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of W. H. Chapman, attorney for contestee, in the sum of \$388, to be by him distributed in accordance with bills allowed.

Bills contracted by the committee, as follows:

W. J. Biggy, Registrar of the City and County of San Francisco, fare to and from Sacramento.....	\$5 00
Pullman.....	1 00
Hotel and meals.....	10 00
Baggage.....	50
Expressage on ballots.....	3 30
	\$19 80
L. J. Welch, Deputy Registrar, fare to and from Sacramento.....	\$5 00
Hotel and meals.....	10 00
Attendance on committee.....	15 00
	30 00
J. J. O'Meara, Deputy Registrar, fare to and from Sacramento.....	\$5 00
Hotel and meals.....	10 00
Attendance on committee.....	15 00
	30 00
Total.....	\$79 80

And we herewith offer the following resolution:

Resolved, That the Controller be and is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of W. J. Biggy, in the sum of \$79 80.

Also:

Lawrence Mahoney, one night watching ballots	\$5 00
James A. Code, two days and one night as keeper of the vault for the ballots.....	15 00
W. O. Banks, Sergeant-at-Arms of Assembly, mileage of Assistant Sergeant-at-Arms, to and from San Francisco.....	18 00
Serving one subpoena.....	1 00
Hon. Owen Wade, cash paid for typewriting.....	50
A. W. Branch, tally clerk, two sessions of committee.....	16 00
Henry O'Brien, tally clerk, two sessions of committee.....	16 00
Total	\$71 50

And we herewith offer the following resolution:

Resolved, That the Controller be and is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of A. B. Evans, Clerk of Committee on Contested Elections, who will pay the last-named claimants and take their receipts therefor in the sum of \$71 50.

COSPER, Chairman.

Ordered printed in the Journal, and to lay over one day.

Also:

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Jones vs. Wardell, beg to report as follows:

Amount of claims of Leon E. Jones, contestant.

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco	\$10 00
Service of notice and complaint	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice, and commission, and copies thereof, fifty-eight folios, at twenty cents a folio for originals, and ten cents a folio for copies	23 20
Fees subpoenaing witnesses and mileage	19 00
Witness fees, ten witnesses as follows:	
Dec. 31, 1898—W. J. Biggy	2 00
L. J. Welsh	2 00
P. L. Opsvig	2 00
Jan. 3, 1899—W. J. Biggy	2 00
L. J. Welsh	2 00
P. L. Opsvig	4 00
W. B. Benchley	2 00
John Guthrie	2 00
H. Burdell	2 00
Jan. 4, 1899—N. E. Maison	2 00
Justices of the Peace F. H. Kerrigan and J. E. Barry	60 00
Expense in attendance on committee of self at Sacramento	105 00
Expense of attorney F. H. Powers, in attendance on committee at Sacramento	40 00
Notary's fees on deposition	3 50
E. J. Mott, shorthand reporter, 726 folios, and three days	230 10
H. H. North, attorney's fees	500 00
Frank H. Powers, attorney's fees	500 00
Telegrams	2 10
Total	\$1,516 40

Amount approved by your committee in case of Jones vs Wardell on the part of contestant.

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco	\$6 50
Service of notice and complaint	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice, and commission, and copies thereof, fifty-eight folios, at ten cents a folio for originals and five cents a folio for copies	11 60
Fees subpoenaing witnesses, and mileage	19 00
Witness fees, ten witnesses	22 00
Justices of the Peace F. H. Kerrigan and J. E. Barry	30 00
Expenses of self in attendance on committee at Sacramento	40 00
Expenses of Attorney F. H. Powers in attendance on committee at Sacramento	25 00
Ernest J. Mott, shorthand reporter, 726 folios, and three days	65 05
H. H. North, attorney's fees	100 00
Frank H. Powers, attorney's fees	100 00
Notary's fees	3 50
Telegrams	2 10
Total	\$426 25

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of Frank H. Powers, attorney for the contestant, for the amount of \$426 25, to be by him distributed in accordance with the bills as allowed

Amount of claims presented by J. S. Wardell, contestee.

Shorthand reporter, for transcribing testimony and proceedings, 726 folios at twenty cents	\$145 20
Shorthand reporter for copy of contestee's portion of testimony and proceedings, 177 folios at ten cents	17 70
Per diem of shorthand reporter, three days	30 00
Lee Barnert, serving eighteen subpoenas, \$1 50 each	27 00
Lee Barnert, three days, looking up witnesses	15 00
Eighteen witnesses, two days each, at \$2 per day	72 00
Expenses of H. C. Gesford, attorney, coming to Sacramento in attendance on committee	50 00

H. C. Gesford, attorney's fees in contest before Justices' Court Commissioner, and before Contested Elections Committee	\$750 00
H. G. W. Dinkelspiel, attorney's fees in contest before Justice's Commission	250 00
J. S. Wardell, expenses going from Sacramento to San Francisco, attendance upon matters connected with contest	10 00
Incidental expenses	32 50
Total	\$1,399 40

Amount approved by your committee in the case of Jones vs. Wardell, on the part of contestee.

Shorthand reporter, for transcribing testimony and proceedings, 726 folios at ten cents	\$72 60
Shorthand reporter, for copy of contestee's portion of testimony and proceedings, 177 folios at five cents	8 85
Per diem of shorthand reporter, three days	15 00
Lee Barnert, serving eighteen subpoenas, \$1 50 each	27 00
Eighteen witnesses, two days each, at \$1 per day	72 00
Expenses of H. C. Gesford, attorney, coming to Sacramento in attendance on the committee	15 00
H. C. Gesford, attorney's fee	150 00
H. G. W. Dinkelspiel, attorney's fee	50 00
J. S. Wardell, expenses going from Sacramento to San Francisco, attendance upon matters connected with contest	5 00
Incidental expenses	10 00
Total	\$425 45

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of H. C. Gesford, attorney for contestee, for the amount of \$425 45, to be by him distributed in accordance with the bills allowed.

Bills contracted by committee.

W. J. Biggy, Registrar of the City and County of San Francisco, fare to and from Sacramento	\$5 00
Hotel expenses, etc.,	15 00
Carriage	1 00
Expressage on ballots	3 60
	\$24 60
John O'Meara, Special Deputy Registrar, fare to and from Sacramento	\$5 00
Three nights lodging	3 00
Meals	5 50
Attendance on Committee	25 00
	38 50
L. J. Welch, Deputy Registrar, fare to and from Sacramento ..	\$5 00
Three nights lodging	3 00
Meals	5 50
Attendance on Committee	25 00
	38 50
	\$101 60

And we offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of W. J. Biggy, Registrar of the City and County of San Francisco, in the sum of \$101 60.

Also:

W. O. Banks, Sergeant-at-Arms of Assembly, mileage for assistant to and from San Francisco	\$18 00
Mileage for assistant to and from San Francisco	18 00
Serving two subpoenas	2 00
Service as watchman three nights	15 00
	\$53 00
James A. Code, three days and three nights watching and opening vault	30 00
Lawrence Mahoney, watching ballots for Registrar and committee ..	15 00
Owen Lynch, watching ballots two nights for J. S. Wardell	10 00
A. W. Branch, tally clerk at five sessions of the committee	30 00
Al. McCabe, tally clerk at five sessions of the committee	30 00
Total	\$168 00

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant and

the Treasurer is instructed to pay the same, in favor of A. B. Evans, Clerk of Committee on Contested Elections, in the sum of \$168, to be by him distributed.

COSPER, Chairman.

Ordered printed in the Journal, and to lay over one day.

Also:

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Graham vs. Hoey, beg to submit the following:

Expenses of Patrick Graham, contestant.

Henry Ellis, Stenographer, drawing complaint, notice, and commission, thirty-one folios, at twenty cents a folio for originals and ten cents a folio for copy	\$9 30
Clerk's fees filing complaint and verification of same	6 50
Certified copy by County Clerk	50
Services of notice and complaint by Sheriff	2 25
Justices of the Peace G. C. Groezinger and J. E. Barry, eleven days for each Justice	220 00
Clement Bennett, shorthand reporter, eleven days, \$10 per day	\$110 00
Original transcript of entire testimony and proceedings furnished contestant, 1,596 folios at twenty cents per folio	319 20
Copy of contestants' portion of testimony and proceedings certified to Assembly, 645 folios at ten cents	64 50
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Telegrams	493 70
Archibald Bernard, attorney's fees	1 50
Archibald Bernard, expenses to Sacramento in attendance on the committee	1,000 00
Fees subpoenaing witnesses, and mileage	11 00
Witness fees, twenty-seven witnesses at \$2 each	27 00
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Total	54 00
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Total	\$1,825 75

Amount approved by your committee in the case of the contestant.

Henry Ellis, stenographer, drawing complaint, notice, and commission, thirty-one folios, at ten cents for original and five cents for copy	\$9 65
Clerk's fees, filing complaint, and verification thereof	6 50
Certified copy by County Clerk	50
Service of notice and complaint by Sheriff	2 25
Justices of the Peace G. C. Groezinger and J. E. Barry, 11 days for each justice	110 00
Clement Bennett, shorthand reporter	150 92
Telegrams	1 50
Archibald Bernard, attorney's fees	200 00
Archibald Bernard, expenses to Sacramento in attendance on committee	11 00
Fees subpoenaing witnesses	27 00
Witness fees, twenty-seven witnesses at \$2 each	54 00
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Total	\$573 32

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$573 32, in favor of Archibald Bernard, attorney for contestant, to be by him distributed in accordance with the bills allowed.

Expenses of Lawrence J. Hoey, contestee.

Miss K. McWilliams, stenographer, drawing answer, appearance, and order for subpoena, 25 folios, at twenty cents a folio for originals and ten cents a folio for copies	\$10 00
Expenses of Attorney J. J. Greeley, in attendance on committee	41 00
Expenses of Attorney R. H. Countryman in attendance on committee	37 50
Lawrence Hoey, mileage and expenses going to San Francisco in contest	25 00
Stephen Potter, shorthand reporter, 11 days at \$10	110 00
Original transcript of entire testimony and proceedings furnished contestee, 1,596 folios at twenty cents	319 20
Copy of contestee's portion of testimony and proceedings certified to Assembly, 951 folios at ten cents	95 10
Telegrams	1 65
County Clerk, for transmission of depositions to Secretary of State	1 00
J. J. Greeley, attorney's fees	750 00
R. H. Countryman, attorney's fees	750 00
Fees subpoenaing witnesses, and mileage	86 10
Witness fees, 45 witnesses at \$2 each	90 00
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Total	\$2,311 55

Amount approved by your Committee in the case of the Contestee

Miss K. McWilliams, stenographer, drawing answer, appearance, and order for subpoena, 25 folios.....	\$5 00
Expenses of attorney, J. J. Greeley, in attendance on committee.....	12 00
Expense of R. H. Countryman, attorney, attendance on committee.....	12 00
L. Hoey, expense going to San Francisco, in contest.....	5 00
Stephen Porter, shorthand reporter.....	158 57
Telegrams.....	1 65
County Clerk, for transmission of depositions to Secretary of State.....	1 00
J. J. Greeley, attorney's fee.....	100 00
R. H. Countryman, attorney's fee.....	100 00
Fees subpoenaing witnesses, and mileage.....	86 10
Witness fees, 45 witnesses at \$2 each.....	90 00
Total.....	\$571 32

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$571 32, in favor of J. J. Greeley, attorney for contestee, to be by him distributed according to the bills allowed.

COSPER, Chairman.

Ordered printed in the Journal, and to lay over one day.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly enrolled : Assembly Bill No 670—An Act making an appropriation for the support of the State Printing Office—and was presented to the Governor February 16th at ten o'clock and ten minutes A.M.

RICKARD, Chairman

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 429—Relating to letting of contracts for lighting of streets and public buildings in cities and towns in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Assembly Bill No 731—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations"—have had the same under consideration, and respectfully report the same back without recommendation.

RAW, Chairman

Assembly Bills Nos. 429 and 731 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER—Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 729—Authorizing the appropriation of moneys by the several counties, and cities and counties, and municipal corporations, for the purpose of advancing and maintaining their respective interests by exhibit, etc, at Pacific Ocean and International Exposition—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAW, Chairman.

Assembly Bill No. 729 ordered on second-reading file.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899

MR. SPEAKER: Your Committee on Public Printing, to whom was referred the following resolution :

Resolved, That the State Printer be and he is hereby directed to print two hundred and fifty extra copies of each Assembly bill heretofore introduced, relative to governments of municipal corporations; also, to print a like number of the same class of bills hereafter introduced.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLEY, Chairman

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 750—An Act to create the Board of State Capitol Commissioners; define

its powers and duties; provide for certain officers and employes; define the duties and powers of such officers and employes, and fix their compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 59—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with a road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Also: Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Have had the same under consideration, and respectfully report the same back, and recommend that authors be permitted to withdraw the same.

VALENTINE, Chairman.

Assembly Bills Nos. 750, 59, and 369 ordered on second-reading file.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 96—An Act entitled "An Act to amend Section 798 of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883," concerning the powers of Boards of Education of cities of the fifth class—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended by the committee.

DE LANCIE, Chairman.

Senate Bill No. 96 ordered on Senate special file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 29—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of \$65,000 for the support of the same"—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, and that the accompanying bill be substituted therefor, and do pass.

CROWDER, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Committee on Public Buildings and Grounds: Assembly Bill No. 832 (Substitute for Assembly Bill No. 29)—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of \$65,000 for the support of said Home," approved March 17, 1887, by adding a new section thereto in Article I thereof, and by amending Section 12 of Article IV thereof, relating to the eligibility and qualifications of certain officers.

Read first time, and placed on file for second reading.

By Mr. Bliss: Assembly Bill No. 833—An Act to regulate the rate of interest charged by pawnbrokers.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 834—An Act to amend Section 849 of the Penal Code of the State of California, relating to arrests.

Read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 835—An Act to pay the claim of the News Publishing Company, for official advertising.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 836—An Act making an appropriation to

pay the claim of the Herald Publishing Company, San José, for advertising constitutional amendments for the year 1896.

Read first time, and referred to Committee on Ways and Means.

By Mr. Feliz: Assembly Bill No. 837—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Dibble: Assembly Bill No. 838—An Act to provide for the payment of the claim of the Labor Advocate, for the advertising of constitutional amendments, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, and the refusal of those last elected to continue in the discharge of duties of such offices until their successors are elected and qualified, and make provision for an election by the legally qualified electors of such incorporated cities to fill such offices; and to provide that the official acts of officers so provisionally appointed and processes served upon them shall be valid.

Read first time, and referred to Committee on Judiciary.

By Mr. Radcliff: Assembly Bill No. 840—An Act to appropriate the sum of \$308 to pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Cobb (by request): Assembly Bill No. 841—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by the Board of Supervisors of the different counties, to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 842—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens of mechanics and others.

Read first time, and referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 844—An Act making an appropriation to pay the claim of the River News, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Wright: Assembly Bill No. 845—An Act to prevent the hunting, chasing, or hounding of deer with hounds in the State of California.

Read first time, and referred to Committee on Fish and Game.

By Mr. Dunlap: Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the services of the State.

Read first time, and referred to Committee on Claims.

By Mr. Knowland: Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Kelley: Assembly Bill No. 848—An Act making an appro-

priation to pay the claim of "Events," for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 849—An Act to pay the claim of the Oakland Enquirer Publishing Company, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. White: Assembly Bill No. 850—An Act to appropriate the sum of \$2,100 to pay the claim of the Italia Publishing Company, for money due and owing the said Italia Publishing Company from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Eugene Sullivan: Assembly Bill No. 851—An Act to amend an Act entitled "An Act to provide for the furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and describing the duties of such assistants," approved March 23, 1893.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Rickard: Assembly Bill No. 852—An Act to establish a uniform standard of weights and measures; to divide the State into districts; appoint inspectors; define their duties; fix the rate of charges, and also the penalties for the violation of this Act.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Johnson: Assembly Bill No. 853—An Act to amend Sections 1, 8, 12, 14, and 16 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878; and as amended by an Act approved March 10, 1887; and as amended by an Act approved March 26, 1895; and increasing the number of said commissioners to five, and relating to their qualifications, appointment, powers, duties, salaries, expenses, and terms of office, and to the recording and notice of assignments of mortgages and deeds of trust held by savings banks.

Read first time, and referred to Committee on Banks and Banking.

Also: Assembly Bill No. 854—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 659½.

Read first time, and referred to Committee on Judiciary.

By Mr. Valentine: Assembly Bill No. 855—An Act to amend Section 1884 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Raub: Assembly Bill No. 856—An Act making an appropriation for the Appeal Publishing Company, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. La Barea: Assembly Bill No. 857—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 858—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Miller of San Francisco (by request): Assembly Bill No. 859—An Act to amend an Act entitled "An Act to prevent the sale or delivery of intoxicating liquors to minor children," approved March 11, 1891.

Read first time, and referred to Committee on Public Morals.

Also: Assembly Bill No. 860—An Act permitting officers of any society for the prevention of cruelty to children to visit and inspect factories, workshops, manufacturing or other establishments where minors under the age of eighteen years are employed.

Read first time, and referred to Committee on Public Morals.

Also (by request): Assembly Bill No. 861—An Act entitled an Act to amend Section 1 of an Act relating to children, approved March 30, 1878.

Read first time, and referred to Committee on Public Morals.

Also (by request): Assembly Bill No. 862—An Act to amend Section 3 of an Act entitled "An Act to enforce the educational rights of children," approved March 28, 1874.

Read first time, and referred to Committee on Public Morals.

By Mr. Marvin: Assembly Bill No. 863—An Act to provide for the payment of the claim of the Blue Lake Advocate, for the advertising of constitutional amendments, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. O'Brien: Assembly Bill No. 864—An Act to provide for the payment for advertising of constitutional amendments, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Mead: Assembly Bill No. 865—An Act to provide for the payment of \$2,106 to W. A. Spaulding, manager Herald Publishing Company of Los Angeles, for advertising constitutional amendments in the year 1898, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Works: Assembly Bill No. 866—An Act making an appropriation to pay the claim of the San Diego Vidette, for advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Jilson: Assembly Bill No. 867—An Act adding a new section to the Penal Code, to be known as Section 402, in relation to the running at large of hogs.

Read first time, and referred to Committee on Judiciary.

By Mr. Crowder: Assembly Bill No. 868—An Act to amend Section 2065 of the Political Code of the State of California, relating to the National Guard and United States Volunteers therefrom.

Read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 869—An Act to amend Section 1670 of an Act entitled "An Act to establish a Political Code," approved March 12, 1892, relating to the lapsing of high schools.

Read first time, and referred to Committee on Education.

By Mr. Hanley: Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury, a felony.

Read first time, and referred to Committee on Ways and Means.

By Mr. Griffin (by request): Assembly Bill No. 871—An Act to appropriate the sum of \$13,000 for the purpose of establishing an electric light and lighting plant in the Yosemite Valley.

Read first time, and referred to Committee on Ways and Means.

By Mr. Fairweather: Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil. B. Dankey, for money due and owing the said Phil. B. Dankey from the State of California, for the printing of constitutional amendments for the general election of 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. McDonald of Alameda: Assembly Bill No. 873—An Act defining the duties of certain officers of the Assembly in the assignment of seats to members thereof.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Hanley: Assembly Bill No. 874—An Act making an appropriation to purchase a safe or provide an inner vault in the vault of the State Treasury, to be used in counting money in the State Treasury.

Read first time, and referred to Committee on Ways and Means.

By Mr. Caminetti: Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due and owing the said J. B. Sanford from the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 876—An Act to appropriate the sum of \$476 to pay the claim of E. C. Rust, for moneys due and owing the said E. C. Rust from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Jilson: Assembly Concurrent Resolution No. 18—Relative to the appreciation of the patriotism and public services of Hon. William McKinley.

Read, and referred to Committee on Federal Relations.

MOTION.

Mr. Huber moved to recall Assembly Bill No. 92 from the Committee on Public Buildings and Grounds and re-refer it to Committee on Ways and Means.

So ordered.

RESOLUTIONS.

By Mr. White:

Resolved, That the Attorney-General be and he is hereby requested to report to the Assembly the present status of all litigation pending between the Railroad Commissioners of this State and the Southern Pacific Railroad Company and other railroads; also, the amount of funds necessary to carry on said litigation to a final determination.

Resolution adopted.

By Mr. Johnson:

Resolved, That for and by reason of services rendered the Assembly by R. J. Kady as Rear Porter from January 2 to February 15, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said R. J. Kady for the sum of \$135, the same being for forty-five days' services at \$3 per day, being the same rate paid all other Porters, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 699—An Act making an appropriation to pay the claim of John J. Snyder, for costs of suit in foreclosing delinquent purchases of State school lands

Also: Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 26—An Act to pay the claim of Wilham M. Sullivan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Also: Assembly Bill No. 131—An Act to appropriate money for the improvement of the harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VALENTINE, Chairman.

Assembly Bills Nos. 699, 736, 26, 733, and 131 ordered on second-reading file.

RESOLUTIONS.

By Mr. Dibble:

Resolved, That Jesse R. Dorsey be appointed Assistant Mail Carrier, at a salary of \$3 per day, and that he be paid out of the fund for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

Assembly Bill No. 148 withdrawn by author.

By Mr. McDonald of Alameda:

WHEREAS, M. E. Horton acted as clerk of the Committee on Claims from January 7 until January 31, 1899, without receiving any compensation therefor;

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of said M. E. Horton for \$100, being twenty-five days' service at the regular per diem allowed committee clerks, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Atherton:

Resolved, That the clerk and Committee on State Prisons and Reformatory Institutions be granted leave of absence from noon recess on Saturday, February 18, 1899, until Monday, twelve o'clock M., February 20, 1899, for the purpose of visiting the State Prison situated at San Quentin.

Resolution adopted.

By Mr. Knowland:

WHEREAS, Frank Storer acted as the clerk of the Committee on Commerce and Navigation from January 7 until January 31, 1899, without receiving any compensation therefor;

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the said Frank Storer for twenty-five days' services at the regular per diem allowed committee clerks, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Cargill:

Resolved, That the Committee on Public Health and Quarantine, and the clerk of the same, be and they are hereby granted a leave of absence from Friday afternoon to Monday morning, the 20th day of February, 1899, to visit San Francisco, for the purpose of inspecting the garbage crematory plant and other matters connected therewith; also, quarantine matters.

Resolution adopted.

By Mr. Cowan.

Resolved, That during the progress of roll call on any measure before the Assembly that each member shall answer to his name from the seat assigned to such member, otherwise the vote of such member shall not be recorded; and be it further

Resolved, That no member shall leave his seat during progress of the roll call

to consult with other members concerning the vote of any member, and no member of the House shall solicit any other member to vote for or against any measure upon the passage of which the roll is being called, and no member of the House shall allow any person to solicit him to vote for or against any measure upon the passage of which the roll is being called.

Referred to Committee on Rules and Regulations.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Mr. Dibble moved that the Assembly do non-concur in the Senate amendments, and that a committee of conference be appointed, and that the Senate be requested to appoint a like committee.

So ordered.

The Speaker appointed Messrs. Marvin, Hoey, Works, and Johnson as such committee.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Passed on file.

Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Mr. Cobb moved that the Assembly concur in the following Senate amendments:

Amend by striking out the first and second lines of Section 1, page 1, printed bill, and inserting in lieu thereof the following:

"SECTION 1 Section 456 of the Civil Code is hereby amended to read as follows "

And by inserting at the beginning of line 3, Section 1, page 1, printed bill, the figures "456" and a period following them; and to amend the title so as to read:

"An Act to amend Section 456 of the Civil Code."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Feliz, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kennecally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raw, Rickard, Robinson, E. D. Sullivan, Wade, White, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 117 ordered to enrollment.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IX thereof, to be numbered with the next consecutive number of sections to said article, relating to exempting certain school properties from taxation

The Legislature of the State of California, at its thirty-third session, commencing on the 21st day of January, A. D. 1899, two thirds of the members elected to each house of the Legislature voting in favor thereof, hereby proposes that a new section be added to Article IX of the Constitution of the State of California, to be known and designated with the next consecutive numeral in said article

All school-houses, academies, colleges, universities, and seminaries of learning, with the books and furniture therein, where the management thereof is not for pecuniary

profit, and the grounds attached to said buildings necessary for their proper occupancy, use, and enjoyment, and not leased or otherwise used with a view to profit, are exempt from taxation.

The question being on the adoption of the resolution.

The roll was called, and pending the announcement of the result Mr. Cobb moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—71.

Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boone, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Grithn, Hanley, Henry, Hoey, Huber, Jilson, Kenneally, La Barea, Le Baron, Lundquist, Mack, McDonald of Tuolumne, McKeen, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Works—56

NOES—Messrs. Belshaw, Blood, Cargill, Crowder, Feliz, Johnson, Knights, Knowland, Lardner, McDonald of Alameda, Mead, Merritt, Meserve, Robinson, Stewart, Wright, and Mr. Speaker—17.

Assembly Constitutional Amendment No. 7 ordered to engrossment and enrollment.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Mr. Arnerich moved that Assembly Bill No. 755 be substituted on the file for Assembly Bill No. 492, and that Assembly Bill No. 492 be withdrawn.

So ordered.

Mr. Rickard moved that Senate Bill No. 118 be substituted on the file for Assembly Bill No. 476, and that Assembly Bill No. 476 be withdrawn.

So ordered.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 16, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of

Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Frisk, Rowell, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentor, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—75

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, February 15, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, February 15, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier, Gillette, and Taylor—3.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Simpson, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Nutt, Smith, and Trout—6.

For Thomas R. Bard—Senators Flint and Rowell—2

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Frisk, and Sims—11.

For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	3 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	6 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received	11 votes.
William T. Jeter received.....	1 vote.

Pending roll call, Senator Simpson proceeded to explain his vote.

Mr. Melick raised the point of order that explanations of votes were not in order pending roll call.

The Chair decided the point of order well taken.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Ester—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Meserve, O'Brien, Stewart, E. D. Sullivan, Wardell, and White—17.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	7 votes.
M. M. Ester received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	17 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Ester received	1 vote.
R. N. Bulla received	12 votes.
D. M. Burns received	24 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	28 votes.
William T. Jeter received	1 vote.
James D. Phelan received	1 vote.

MOTION TO ADJOURN.

Senator Leavitt moved to adjourn.

The ayes and noes were demanded by Messrs. Dale, Crowder, and Works.

The Secretary of the Senate called the roll of the Senate, with the following result:

AYES—Senators Bettman, Burnett, Chapman, Dickinson, Feeney, Flint, Gillette, Hoey, Laird, Langford, Leavitt, Luchsinger, Rowell, Simpson, and Wolfe—15

NOES—Senators Ashe, Boyce, Braunhart, Bulla, Currier, Curtin, Cutter, Davis, Doty, Dwyer, Hall, Jones, La Rue, Maggard, Morehouse, Nutt, Pace, Prisk, Sims, Stratton, Taylor, and Trout—22.

The Chief Clerk of the Assembly called the roll of Assemblymen, with the following result:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Boynton, Burnett, Caminetti, Clough, Cobb, Crowly, Devoto, Dibble, Henry, Hoey, Jilson, Johnson, Kenneally, Lundquist, McKeen, Miller of San Francisco, Rickard, Eugene Sullivan, and Mr. Speaker—24

NOES—Messrs. Bliss, Blood, Boone, Brown, Cargill, Chynoweth, Clark, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Huber, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—51.

Motion lost.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Currier, Gillette, and Taylor—3.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Simpson, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, and Trout—6.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.

For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	3 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr., received.....	6 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	11 votes.
William T. Jeter received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.

For C. N. Felton—Mr. Brown—1.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, Wardell, and White—17.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	7 votes
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes
D. M. Burns received	17 votes.
C. N. Felton received	1 vote
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	17 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	12 votes.
D. M. Burns received	24 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	28 votes.
William T. Jeter received	1 vote.
James D. Phelan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and forty-five minutes P. M., Assemblyman Wright moved to adjourn until Friday, February 17, 1899, at twelve o'clock M. Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Friday, February 17, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and forty-six minutes P. M., the Assembly took a recess until two o'clock P. M., under the rules.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman.

Assembly Bill No. 447 ordered on second-reading file.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people

Passed on file.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act" authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed on file.

Senate Bill No. 30—An Act concerning elections and providing for the election of delegates to nominating conventions of political parties at elections known and designated as primary elections.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cosper, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Hanley, Hoey, Huber, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Meserve, Milice, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—53.

NOES—Mr. Raw—1.

Title read and approved.

Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor and to appropriate money to enforce the same.

Passed on file.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United

States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Passed on file.

Senate Bill No. 95—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Cummetti, Cobb, Conrey, Cosper, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Hoer, Huber, Johnson, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Stewart, Wade, Wardell, and Wright—53

NOES—None.

Title read and approved.

Senate Bill No. 49—An Act to amend Sections 1094, 1095, 1096, 1097, 1101, 1103, 1104, 1105, 1113, 1115, 1116, 1130, 1204, and 1261, and to repeal Sections 1098, 1099, 1100, and 1114 of the Political Code.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 by adding after the word "election," in line 37, the following words: "The board having charge and control of elections in the several counties, and cities and counties, may provide by resolution for the registration of voters in their respective precincts by the officer charged with the registration of voters."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1097, subdivision 4, by striking out all after the word "affidavit," in line 114, and inserting the following words: "must be made before a County Clerk or officer charged with the registration of voters or their deputies."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of line 3 of title the figures "1104," and out of line 1, Section 2, the figures "1104."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out all of Section 3 and inserting in lieu thereof the following: "Sec. 3. This Act shall take effect on the first day of January, Anno Domini 1900."

Amendment adopted.

Senate Bill No. 49 ordered to print, engrossment, and third reading.

Senate Bill No. 59 (Substitute for Assembly Bill No. 124)—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read second time.

Mr. Atherton moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 59.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 59 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 59—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor—and do now report the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 14, on line 4, printed bill, by striking out the words "twenty-five," and in lieu thereof inserting the word "fifteen."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 14, on line 5, printed bill, by striking out the figure "2."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 14, on line 6, printed bill, by striking out the word "ten," and in lieu thereof inserting the word "seven."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 14, on line 6, printed bill, after the word "thousand," by inserting the words "five hundred."

Amendment adopted.

AMENDMENT No. 5.

Amend Section 14, in line 6 of printed bill, by striking out the figures "10,000," and in lieu thereof inserting the figures "500."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 14, in line 7 of printed bill, by striking out the word "ten," and in lieu thereof inserting the word "five."

Amendment adopted.

AMENDMENT No. 7.

Amend Section 14, in line 7 of printed bill, by striking out the figures "10,000," and in lieu thereof inserting the figures "5,000."

Amendment adopted.

Senate Bill No. 59 ordered to print, engrossment, and third reading.

Senate Bill No. 593—An Act to appropriate \$7,500 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State for general distribution, parasitical and predaceous insects, which in those countries prey upon such species of fruit and tree pests as abound in the orchards of this State.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into a

Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 593.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 593 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 593—An Act to appropriate \$7,500 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State, for general distribution, parasitical and predaceous insects, which in those countries prey upon such species of fruit and tree pests as abound in the orchards of this State—and do now report the same back, and recommend that it do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 593 ordered to third reading on Senate special file.

Mr. Dibble moved that all bills on the special file, except Nos. 10 and 11 on the file, be placed at the foot of second-reading file, and ahead of Ways and Means appropriation bills not on special file.

So ordered.

Assembly Bill No. 441—An Act to amend Section 7 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Clough, Conrey, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Miller of San Francisco, Muentert, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 14—Amending the Constitution by adding a new section to Article IX, relative to exempting certain property from taxation.

Passed on file.

At two o'clock and fifty-five minutes P. M., the Speaker called Mr. Wade to the chair.

SECOND-READING FILE.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California, of any article of commerce other than jute bags and broken stones, and materials for State and county roads only, and articles consumed in the State institutions.

Read second time.

During the second reading of bill, the following amendments were submitted:

By Mr. Caminetti:

Insert after the word "except," on line 7, page 1, printed bill, the following: "cut stone for arches in bridges and culverts for use on State highways, county or district roads, and."

Amendment adopted.

Also: Insert after the word "institutions," line 10, page 1, printed bill, the words "or in the construction of the same."

Amendment adopted.

Also: Insert after the word "sell," line 14, page 1, printed bill, the following: "cut stone for arches in bridges and culverts for use on State highways, county or district roads, and "

Amendment adopted.

By Mr. Wright:

Amend by striking out of Section 1, line 8, the words "streets, lanes, alleys, and courts of cities and towns."

The ayes and noes were demanded by Messrs. Works, Dunlap, and Lardner.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Arnerich, Barry, Cobb, Crowly, Devoto, Dibble, Feliz, Henry, Hoey, Huber, Kenneally, Knowland, Lardner, Lundquist, McKeen, Mead, Miller of San Francisco, O'Brien, Rickard, Eugene Sullivan, Wade, Wright, and Mr. Speaker—23.

NOES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cowan, Crowder, Dale, Dunlap, Fairweather, Griffin, Jilson, Johnson, Knights, La Barea, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, Pierce, Raub, Raw, Robinson, Stewart, E. D. Sullivan, Wardell, White, and Works—43.

Mr. Anderson moved to amend as follows:

Amend by adding to Section 1, line 17, the words "*provided*, no rock shall be sold for less than 50 cents per ton."

Roll call was demanded by Messrs. Anderson, Wright, and Lardner.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Arnerich, Barry, Cobb, Crowly, Devoto, Dibble, Feliz, Henry, Hoey, Huber, Kenneally, Knowland, Lardner, Lundquist, Mead, Merritt, Miller of San Francisco, O'Brien, Rickard, Eugene Sullivan, Wright, and Mr. Speaker—22.

NOES—Messrs. Atherton, Belshaw, Bliss, Boone, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cowan, Crowder, Dale, Dunlap, Fairweather, Griffin, Hanley, Johnson, Knights, La Barea, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Merrill, Meserve, Milce, Miller of Los Angeles, Muentner, Pierce, Raub, Raw, Robinson, Stewart, E. D. Sullivan, Wade, Wardell, White, and Works—41.

Mr. Caminetti moved to amend the title so as to read:

"An Act entitled 'An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone and material for State and county roads, streets, alleys, lanes, courts of cities and towns, and articles consumed in State institutions, or in the construction thereof' "

Mr. Dibble moved to amend the amendment by substituting the following:

Amending title by adding the following: "An Act providing that broken and crushed stone shall be sold for actual cost of production."

Amendment lost.

Mr. Caminetti's amendment to the title adopted.

By Mr. Anderson:

Amend by striking out the enacting clause.

Amendment lost.

Assembly Bill No. 691 ordered to print, engrossment, and third reading.

At four o'clock and thirty minutes P. M., Speaker Anderson resumed the chair.

MOTIONS.

Mr. Wade moved to reconsider the vote whereby Assembly Bill No. 393 was on yesterday finally passed, and further moved to continue the motion to reconsider until next legislative day.

Mr. Brown moved to lay the motion to reconsider on the table

So ordered.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.

Speaker Anderson in the chair.

Messrs. Merrill and Cosper were granted leave of absence for the evening.

At eight o'clock and ten minutes P. M., the Speaker called Mr. Wade to the chair.

SPECIAL URGENCY FILE.

Senate Bill No. 379 (Substitute for Assembly Bill No. 562)—An Act to promote the purity of primary elections and to punish offenses thereat.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Henry, Johnson, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and Wardell—42.

NOES—Messrs. Hoey, Miller of Los Angeles, and Raw—3.

Title read and approved.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage, by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Henry, Huber, Johnson, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of

Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, Wade, and White—44.

NOES—Mr E. D. Sullivan—1.

Title read and approved.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Mr Mead moved that a select committee of one be appointed, with instructions to amend Assembly Bill No. 322 as follows:

Amend by striking out the period following the word "election," in line 12, printed bill, and inserting a semicolon and the following words: "*provided*, that the limitation shall not apply to municipal elections. At such elections each political party which cast ten per cent of the total vote for chief executive of such municipality at the last preceding election shall be entitled to one member of such election board; the remaining members of such board shall be divided as nearly equally as possible between the two political parties which cast, respectively, the highest and second highest vote for chief executive officer of such municipality at the last preceding election."

Also: Amend printed bill by inserting next after the word "shown," in line 31, the words "to the election board, or to the Board of Supervisors."

So ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MEAD, Committee.

Report adopted.

Assembly Bill No. 322 ordered to print and reengrossment.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Passed on file.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Passed on file.

Assembly Bill No. 141—An Act providing for the use of separate ballot-boxes for each political party at primary elections.

Withdrawn by author.

Assembly Bill No. 143—An Act to amend Section 1186 of the Political Code, relating to conventions.

Withdrawn by author.

Assembly Bill No. 648 (Substitute for Assembly Bill No. 144)—An Act adding two new sections to the Political Code of this State, to be numbered 1118 and 1119, concerning elections, and providing for registration for primary elections.

Withdrawn by author.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed on file.

Assembly Bill No. 348—An Act to amend Sections 1 and 2 of an Act

entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Read third time

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Crowley, Dale, Dibble, Fairweather, Feliz, Henry, Johnson, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merrill, Meserve, Milce, O'Brien, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and White—42.

NOES—Messrs. Melick and Miller of Los Angeles—2.

Title read and approved.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Read second time.

Mr. Atherton moved that the House do now resolve itself into Committee of the Whole, with Mr. Wade in the chair, for the purpose of considering Assembly Bill No. 127.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 127 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended.

WADE, Chairman.

Report adopted.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

The following committee amendments were submitted:

Amend Section 1, line 3, printed bill, by striking out "four thousand five hundred dollars (\$4,500)" and inserting in lieu thereof "four thousand dollars (\$4,000)."

Amendment adopted.

Also: Amend Section 1, lines 7 and 8, printed bill, by striking out the following: "eighteen dollars (\$18)" and inserting in lieu thereof "sixteen dollars (\$16)."

Amendment adopted.

Assembly Bill No. 127 ordered to print, engrossment, and third reading.

Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, and for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets

of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Passed on file.

Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Henry, Huber, Johnson, Knowland, La Barea, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and White—43.

NOES—None.

Title read and approved.

Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works for the forty-eighth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Dale, Dibble, Dunlap, Fairweather, Feliz, Henry, Knowland, Le Baron, Lardner, Mack, Marvin, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and White—41.

NOES—None.

Title read and approved.

Mr. Dibble moved that all bills passed on the urgency file this evening be restored to the special file.

So ordered.

Assembly Bill No. 142—An Act to amend Section 1188 of the Political Code, relating to the method by which candidates for public office may be nominated.

Mr. Dibble moved to amend Assembly Bill No. 142 by striking out the enacting clause.

Motion lost.

Mr. White moved that Assembly Bill No. 142 be passed on file.

POINT OF ORDER.

Mr. Dibble raised the point of order that said bill was ordered stricken from the file on February 10th.

The Chair decided the point of order well taken.

Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,'" approved March 7, 1883, providing for an increase to the annual

appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita.

Passed on file.

Assembly Bill No. 557—An Act to amend Section 1186 of the Political Code of the State of California, defining political conventions.

Withdrawn by author.

Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filter, and lay pipes in the Capitol grounds.

Passed on file.

ADJOURNMENT.

At nine o'clock and forty minutes P. M., on motion of Mr. E. D. Sullivan, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, February 17, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 17, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Wednesday, February 15, 1899, was read and approved.

LEAVE OF ABSENCE.

Mr. Kelley was granted leave of absence for the day, on motion of Mr. Kelsey.

Mr. Greenwell was granted leave of absence for the day, on his own motion.

PETITION.

By Mr. Burnett: Relative to a Sunday law, signed by thirteen residents of San Luis Obispo County.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Judiciary having had under consideration Assembly Constitutional Amendment No. 13—Relative to amending Section 12 of Article XIII of the Constitution, relating to poll-tax.

Also: Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, viz: to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII of the Constitution. Report the same back, and recommend that they be adopted.

Also: Assembly Bill No. 742—An Act to amend Section 290 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 556—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891—report the same back, with the recommendation that it be referred to the Committee on Public Health and Quarantine.

Also: Assembly Bill No. 234—An Act to amend Section 1188 of the Civil Code of the State of California, relating to certificates of acknowledgment.

Also: Assembly Bill No. 179—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings

Report the same back, with an amendment, and recommend their passage as amended.

Also: Assembly Bill No. 434—An Act providing for the filing and recording of maps and plots and the field notes thereof of lots, subdivisions, and blocks of real property, and the surveys thereof, in the County Recorder's office, and providing for the use of such for evidence—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 392—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and to collect a fee therefor for the purpose of devoting such fee for the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles—report the same back with an amendment, and recommend that it do pass as amended.

JOHNSON, Chairman

Assembly Constitutional Amendments Nos. 13 and 19 ordered on special file.

Assembly Bills Nos. 742, 234, 179, 434, and 392 ordered on second-reading file.

Assembly Bill No. 556 referred to Committee on Public Health and Quarantine.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 620—An Act providing for the construction of a State highway or free wagon road from Mount Hamilton Observatory in Santa Clara County to the San Joaquin River in Stanislaus County, to connect with the most desirable public road leading to the Yosemite Valley; providing for the appointment of a Board of Commissioners, and authorizing and directing said Board of Commissioners to perform certain duties relating to the construction of such highway, and to condemn land and property for the purpose aforesaid, and making an appropriation for the expenditures and purposes provided in this Act.

Also: Assembly Bill No. 709—An Act to appropriate the sum of \$50,000 for the construction of a free wagon road from the town of Merced Falls, in Merced County, to the Yosemite Valley, and to repeal and take the place of an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley," approved March 26, 1895. All of which relates to the location, survey, and construction of a free wagon road to the Yosemite Valley.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors withdraw the same, and that the committee substitutes herewith presented do pass, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, in Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake, to Lake Tahoe, a State highway—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MELICK, Chairman.

Assembly Bill No. 726 ordered on second-reading file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Roads and Highways: Assembly Bill No. 877 (Substitute for Assembly Bill No. 620)—An Act to provide for the construction of a free wagon road from the Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Committee on Roads and Highways: Assembly Bill No. 878 (Substitute for Assembly Bill No. 709)—An Act to provide for the survey, location, and construction of a public highway or wagon road from the City of Merced, in the County of Merced, to the Yosemite Valley, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 20—Relative to an inquiry into the alleged servitude in Siberia of Ira Whitney and companions—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

DALE, Chairman

Assembly Joint Resolution No. 20 ordered on third-reading file.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 522—An Act making appropriation to pay the claim of the Union Mill Company for services in constructing a refrigerator for the Southern California Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 16—An Act making an appropriation to pay the claim of Lawrence Stevens, for the apprehension and conviction of Ivan Kovalow, the murderer of the Weber family at Sacramento, State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Ways and Means, without recommendation.

Also: Assembly Bill No. 421—An Act to pay the claim of A. G. Lafferty against the State of California for supplies furnished in fitting out Company A, First Battalion of Mountaineers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year—have had the same under consideration, and respectfully report back the same, and recommend that it do pass, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 671—An Act for the relief of Hugo Duveneck, executor of the last will of Sigmund M. Thannhauser, deceased, for moneys paid through error by him as a tax on certain collateral bequests provided for in said will.

Also: Assembly Bill No. 614—An Act to pay the claim of the Liverpool and London and Globe Insurance Company against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, proprietor of the Ventura Independent, for the advertising of the constitutional amendments, and to make appropriation therefor.

Also: Assembly Bill No. 475—An Act to pay the claim of J. W. Newbert against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Ways and Means, without recommendation.

Also: Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and that they be referred to Committee on Ways and Means.

Also: Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WILLIAM McDONALD, Chairman.

Assembly Bills Nos. 522, 16, 421, 212, 693, 671, 614, 463, 475, 694, 248, and 227 referred to Committee on Ways and Means.

Mr. Arnerich moved that Assembly Bill No. 449 be re-referred to Committee on Ways and Means.

So ordered.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means, without recommendation.

Also: Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Also: Assembly Bill No. 499—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 56—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means, with recommendation that it do pass.

Also: Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means, without recommendation.

Also: Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CROWDER, Chairman.

Assembly Bills Nos. 370, 56, and 566 referred to Committee on Ways and Means.

Assembly Bills Nos. 368, 499, and 338 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring

Street in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Also (reengrossed): Assembly Bill No. 395—An Act to amend Section 1281 of the Political Code.

RICKARD, Chairman.

Assembly Bills Nos. 39 and 395 ordered on third-reading file.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of state hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WADE, Chairman.

Mr. Wade moved that Assembly Bill No. 506 be now taken up and read second time, under suspension of the rules.

So ordered.

Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "five," on line 1, Section 1, page 1 of printed bill, and inserting in lieu thereof the following: "Section 3, Article II."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting on line 9, Section 1, page 1, printed bill, after the word "follows":
"Sec. 3. The managers, and their successors appointed after the appointment and classification made pursuant to the preceding section, shall severally be appointed by the Governor, as often as a vacancy shall occur, or otherwise; and they may severally continue in office until their successors are appointed and qualified, and they shall be subject to removal by the Governor, upon cause shown and opportunity to be heard. No person shall be eligible to office of manager who is either an elective or appointed State officer, or a member of the Legislature, and if any such manager shall become a member of the Legislature, or an elective or appointed State officer, his office as manager shall be vacant. If any manager fails for three months to attend the regular meetings of the board of which he is a member, unless he is ill or absent from the State, his office shall be vacant, and the board, by resolution, shall so declare, and a certified copy of every such resolution shall forthwith be transmitted to the Governor."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words and figure "Section 5," on line 10, page 2, printed bill, and inserting in lieu thereof the following:

"Sec. 2. Section 5 of the above mentioned and described Act is hereby amended so as to read as follows. 'Section 5'"

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the words "four fifths," on line 34, page 2, printed bill, and inserting in lieu thereof the word "majority"

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the figure "2," on line 1, Section 2, page 2, printed bill, and inserting in lieu thereof the figure "3."

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting on line 45, page 3, printed bill, after the word "second," the words "and other."

Amendment adopted.

AMENDMENT No. 7.

Amend by inserting on line 46, page 3, printed bill, after the word "physician," the letter "s," and the words "an interne."

Amendment adopted.

AMENDMENT No. 8.

Amend by striking out the words "first and second," on line 49, page 4, printed bill.

Amendment adopted.

AMENDMENT No. 9.

Amend by inserting on line 50, page 4, printed bill, after the word "assistants," the words "and internes."

Amendment adopted.

AMENDMENT No. 10.

Amend by inserting on line 50, page 4, printed bill, after the word "hospitals," the following: "The salary of medical superintendents shall not exceed \$3,500 per annum; that of first assistant physicians, \$2,500 per annum; that of assistant physicians other than first assistant physicians, \$2,000 per annum, and that of internes, \$600 each per annum."

Amendment adopted.

AMENDMENT No. 11.

Amend by inserting on line 51, page 4, printed bill, after the word "employés," the following: "none of whom shall be his relative or that of any member of the Board of Managers by either consanguinity or marriage."

Amendment adopted.

AMENDMENT No. 12.

Amend the title by inserting on line 1 of title, after the word "section," the figure "3."

Amendment adopted.

AMENDMENT No. 13.

Amend the title by inserting on line 1, after the figure "6," the words "of Article II."

Amendment adopted.

Assembly Bill No. 506 ordered to print, engrossment, and third reading.

SENATE MESSAGES.

The following Senate messages were received and read:

SENATE CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also, Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles, and making an appropriation therefor.

F. J. BRANDON, *Secretary of Senate.*

By F. L. THOMAS, *Assistant Secretary.*

Senate Bill No. 282—An Act appropriating money for the main-

tenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 118—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 118—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read first time, and ordered on Senate special file. (Assembly Bill No. 476, an identical bill, withdrawn by author.)

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor.

Also: Senate Bill No. 246—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 246—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

Read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 286—An Act authorizing municipalities of less than the first class to obtain by purchase, donation, or devise, lands for cemetery purposes, and authorizing the Board of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same—and respectfully ask that your honorable body will concur in said amendments

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

Assembly Bill No. 286—An Act authorizing municipalities of less than the first class to obtain, by purchase, donation, or devise, lands for cemetery purposes, and authorizing the Board of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Mr. Melick moved that the Assembly do now concur in the following Senate amendments:

AMENDMENT No. 1.

Amend by striking out the words "the sixth class," on line 1, Section 1, page 1, printed bill, and inserting in lieu thereof the words "less than first class"

AMENDMENT No. 2.

Amend by inserting after the word "devise" the words "and dispose of," on line 2, Section 1, page 1, printed bill.

AMENDMENT No. 3.

Amend by striking out the word "lands," on line 3, Section 1, page 1, printed bill, and inserting in lieu thereof the word "property."

AMENDMENT No. 4.

Amend by inserting after the word "trustees" the following: "or other governing body," on line 1, Section 2, page 1, printed bill.

AMENDMENT No. 5.

Amend by inserting after the word "trustees" the following: "or other governing body," on line 1, Section 3, page 1, printed bill.

AMENDMENT No. 6.

Amend by striking out the words "city or town," on line 4, Section 3, page 1, printed bill, and inserting in lieu thereof the word "municipality."

AMENDMENT No. 7.

Amend by striking out the words "city or town," on line 5, Section 3, page 1, printed bill, and inserting in lieu thereof the following: "municipality."

AMENDMENT No. 8.

Amend by striking out the words "cities and towns of the sixth class," on line 1 of the title, page 1, printed bill, and inserting in lieu thereof the following: "municipalities of less than the first class."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Conrey, Cowan, Dale, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 286 ordered to reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—and respectfully ask your concurrence in said amendments.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary.

Mr. Cobb moved that the Assembly do now concur in Senate amendments to Assembly Bill No. 118.

Mr. Wade moved, as a substitute, that the Assembly do not concur in Senate amendments to Assembly Bill No. 118, and that the Assembly request the Senate to recede from its amendments.

Motion carried, and it was so ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 103, 243, 287, 288, 30, and 301.

Assembly Bill No. 103—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Assembly Bill No. 243—An Act amending the Code of Civil Procedure of the State of California, adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court."

Assembly Bill No. 288—An Act to amend Section 92 of the Civil Code, and to add a new section to said Code, to be known as Section 108 of the Civil Code, relating to grounds of action for divorce.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Assembly Bill No. 301—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by amending Sections 1 and 2 thereof.

And were presented to the Governor February 16, 1899, at ten o'clock and fifteen minutes A. M.

RICKARD, Chairman.

ON WAYS AND MEANS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 10—An Act for the relief of John Mullan, and to appropriate money therefor

Also: Assembly Bill No. 623—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and secure a site, and submit sketch, plans, and specifications therefor; to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes, looking to the confinement of incorrigibles at Folsom Prison; to enlarge said prison for that purpose, and to the confinement of those capable of reformation at such reformatory when established, and to make an appropriation for such purposes.

Also: Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissions therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 674—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be reported back without recommendation.

Also: Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Also: Assembly Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer Service; also, the expenses incurred in reorganizing the National Guard and to result therefrom; and making an appropriation to pay the same.

Also: Assembly Bill No. 558—An Act making an appropriation to pay for concrete floor in basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Also: Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VALENTINE, Chairman.

Assembly Bills Nos. 10, 628, 728, 674, 756, 277, 558, and 764 ordered on second-reading file.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Lundquist: Assembly Bill No. 879—An Act providing for accident and fire drills on all ferry-boats plying between San Francisco and other points.

Read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 880—An Act to provide for accident and fire drills on all river boats plying between San Francisco and other points.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. La Baree: Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising the constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 882—An Act to amend Section 634 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 883—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing proposed constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dibble: Assembly Bill No. 884—An Act to provide a suitable medal for the members of the California Volunteers who entered the Spanish-American War of 1898, upon their reënlisting in the National Guard of the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Kelley: Assembly Bill No. 886—An Act to appropriate money to pay the claim of the Oakland Enquirer Publishing Company, for printing 1,000 copies of reports of the California Voting Machine Commission, which work was performed under contract with C. B. Morgan, secretary of said commission, under authority of the California Voting Commission.

Read first time, and referred to Committee on Ways and Means.

By Mr. Meserve (by request): Assembly Bill No. 887—An Act relating to estrays, and trespassing animals, and repealing all Acts and parts of Acts now in force relating to estrays.

Read first time, and referred to Committee on Roads and Highways.

Also (by request): Assembly Bill No. 888—An Act relating to the protection of highways, and repealing all other Acts and parts of Acts inconsistent with or in conflict with this Act.

Read first time, and referred to Committee on Roads and Highways.

By Mr. O'Brien: Assembly Bill No. 889—An Act making transfer checks or tickets issued to a passenger on any street cars operated in any city and county in this State transferable, and conferring on the

transferee thereof all the rights and privileges of original holder, and providing a punishment for the violation thereof.

Read first time, and referred to Committee on Corporations.

By Mr. Clough (by request): Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. De Lancie: Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Lardner (by request): Assembly Bill No. 892—An Act to provide for the appointment of an unsalaried commission to investigate and report upon methods for the preservation of the forests of this State.

Read first time, and referred to Committee on Judiciary.

By Mr. Jilson: Assembly Bill No. 893—An Act to prohibit the forcing of air in and through mains and pipes for supplying illuminating gas, and providing a penalty therefor.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 894—An Act to regulate the use of meters used for the purpose of measuring water by persons or corporations distributing the same for sale.

Read first time, and referred to Committee on Corporations.

By Mr. Conrey: Assembly Bill No. 895—An Act to amend Section 1183 of the Code of Civil Procedure, concerning mechanics' liens for work done and for materials furnished.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 896—An Act to repeal an Act entitled "An Act to encourage and provide for general vaccination in the State of California," approved February 20, 1889.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cosper (by request): Assembly Bill No. 897—An Act to amend Sections 9 and 10 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all public improvements, or for any purpose whatever; and the repeal of the Act approved March 9, 1895, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks'; also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' approved March 19, 1889," and an Act amendatory thereof, approved March 19, 1891.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. White: Assembly Bill No. 898—An Act to appropriate the sum of \$2,100 to pay the claim of James A. Devoto, assignee of E. Patrizi and G. Almagia, for money due and owing the said James A. Devoto, assignee as aforesaid, from the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Brown: Assembly Bill No. 899—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads.

Read first time, and referred to Committee on Corporations.

By Mr. Beecher: Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising the constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 901—An Act making appropriation to pay the claim of the Alturas Plaindealer, for advertising the constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Cargill: Assembly Bill No. 902—An Act making an appropriation to pay the claim of the Hollister Bee, for advertising constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Miller of San Francisco: Assembly Bill No. 903—An Act making an appropriation to pay the claim of the Butchers and Stockgrowers' Journal, for advertising and publishing constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Mack: Assembly Bill No. 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Clark: Assembly Bill No. 905—An Act making an appropriation for the purpose of sinking an oil well or wells on the grounds of the Agnews State Hospital.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dale: Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Knowland: Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal, of Alameda, California, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Johnson: Assembly Bill No. 908—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read first time, and referred to Committee on Judiciary.

By Mr. Crowder: Assembly Bill No. 909—An Act to amend Sections 1637, 1685, and 1858 of the Political Code, relating to schools.

Read first time, and referred to Committee on Education.

By Mr. Belshaw: Assembly Bill No. 910—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing the constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Committee on Election Laws: Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization of committees to represent political parties at primary elections.

Read first time, and ordered on special file.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Dunlap:

Resolved, That by and for reason of services rendered the Assembly by William C. Guirey and Ed J. Smith, as Assistant Clerks at the desk, from February 7, 1899, to February 17, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrants, one in favor of said William C. Guirey, and one in favor of said Ed J.

Smith, each for the sum of \$66, same being at the rate per diem as is paid the Assistant Clerks at the desk, and the State Treasurer is hereby directed to pay said two warrants out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.
By Mr. Belshaw:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of W. H. Baldwin, and the Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly, the same being in payment of the attached bill of said W. H. Baldwin.

State of California to Dr. W. H. Baldwin, Dr.:

Feb. 9, 1899—To professional services: Special examination of Milton
J. Green \$10 00

Resolution adopted.

REPORT OF STANDING COMMITTEES.

SUB-COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your sub-committee of the Committee on Ways and Means, authorized to visit various public institutions of Southern California, having visited San Diego, the Southern California State Hospital at Highlands, and Whittier, submits its account for expenses, as follows:

P. H. Mack	\$118 40
J. M. Griffin	128 40
J. S. Wardell	128 40
	<hr/>
	\$375 20

We ask for the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of P. H. Mack, acting Chairman of the sub-committee, for the sum of \$375 20, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

MACK, Acting Chairman

Report and resolution adopted.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 349 and 435.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

RICKARD, Chairman.

Assembly Bills Nos. 349 and 435 ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 128, 353, 411, 617, 652, 745, 718, 651, 596, 432, 433, 607, 272, 334, 459, 622, 505, 343, 232, 346, 569, 613, 119, 585, 409, 77, 78, 79, 555, 597, 574, and 618.

Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Assembly Bill No. 353—An Act to amend an Act entitled "An Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the Home of the Veterans' Home Association,' approved March 7, 1883; providing for an increase to the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893; reducing the amount of such appropriation to receipts.

Assembly Bill No 411—An Act authorizing the Secretary of State to furnish his office and the vault connected therewith, and making an appropriation therefor.

Assembly Bill No 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filters, and lay pipes in the Capitol grounds.

Assembly Bill No 652—An Act to create a Board of Commissioners of Building and Loan Associations, and to fix and prescribe its powers and duties, and to repeal all conflicting Acts.

Assembly Bill No. 745—An Act to abolish the office of Quarantine Officer for the Board of Health for the City and County of San Francisco.

Assembly Bill No. 718—An Act repealing an Act entitled "An Act concerning actions for libel and slander," approved March 23, 1872, and of all Acts amendatory thereof and supplementary thereto, relating to undertakings in actions for libel and slander.

Assembly Bill No 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor, if successful.

Assembly Bill No. 596—An Act to amend Section 3610 of the Political Code of the State of California, relating to Assessors' field enrollment book.

Assembly Bill No 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

Assembly Bill No. 434—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Assembly Bill No 607—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Assembly Bill No. 272—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to those now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year;" to create the office of Expert to the Controller, and prescribing his compensation.

Assembly Bill No 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund money now in the San Francisco Depot Sinking Fund.

Assembly Bill No. 459—An Act to amend Section 2440 of the Political Code of the State of California, approved March 12, 1872, relating to the appointment of Pilot Commissioners for San Francisco, Mare Island, and Benicia.

Assembly Bill No 622—An Act to amend an Act entitled "An Act to appropriate money for the support of orphans, half-orphans, and abandoned children," approved March 25, 1880.

Assembly Bill No. 505—An Act to provide for the employment of the needy unemployed and of vagrants under sentence.

Assembly Bill No 343—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Assembly Bill No 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

Assembly Bill No. 346—An Act to amend Section 1699 of the Code of Civil Procedure, relating to the settlement of accounts of trustees and to compensation of trustees.

Assembly Bill No. 569—An Act to amend Section 602 of the Penal Code of the State of California, and to add a new subdivision thereto, to be known as subdivision 8, making it a misdemeanor for animals to trespass upon property of another.

Assembly Bill No. 613—An Act requiring hotel and lodging-house keepers to keep ropes in sleeping rooms to facilitate escape in case of fire.

Assembly Bill No 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California.

Assembly Bill No 585—An Act to amend Section 529 of the Code of Civil Procedure, relating to injunctions, approved March 15, 1880.

Assembly Bill No. 409—An Act to amend Section 592 of the Penal Code of the State of California.

Assembly Bill No 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Assembly Bill No 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis

Assembly Bill No. 618—An Act making an appropriation to pay the claim of Office Specialty Manufacturing Company, for metallic furniture furnished the Clerk of the Supreme Court, at Sacramento.

RICKARD, Chairman.

Assembly Bills Nos. 128, 353, 411, 617, 652, 745, 718, 651, 596, 432, 433, 607, 272, 334, 459, 622, 505, 343, 232, 346, 569, 613, 119, 585, 409, 77, 78, 79, 555, 597, 574, and 618 ordered on third-reading file.

RESOLUTIONS.

By Mr. Cospér:

Resolved, That in the matter of the investigation of the methods employed in the election of a United States Senator, the Controller be and he is hereby authorized and directed to draw his warrant in favor of W. O. Banks, Sergeant-at-Arms, for \$258 90, the same being the expenses incurred in securing the attendance of twenty-three witnesses, mileage, fees, and expenses, and which items have been audited by the special committee and allowed; and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Ordered printed in the Journal, and to lay over one day.

By Mr. Stewart:

Resolved, That the State Printer be instructed to immediately print and return to the Assembly the substitute bills for Assembly Bills Nos. 620 and 709.

Motion lost.

Also:

Resolved, That the Committee of Investigation be and said committee is hereby directed to discharge its clerk, Mr. J. C. Wray; and said committee is hereby directed to file its resolution authorizing the payment of said clerk for his services from the date of his employment to February 9, 1899, when said services ceased—the same being the date when the stenographers ceased work and were paid for their services.

Resolution adopted.

By Mr. Crowder:

Resolved, That the State Controller is hereby ordered to draw his warrant, and the State Treasurer is hereby instructed to pay the same, in favor of George G. Radcliff, for \$18, the same being in payment for mileage to and from San Francisco with the Public Buildings and Grounds Committee, as per resolution of February 11, 1899.

Resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Anderson: Assembly Bill No. 912—An Act to provide for the payment of advertising the constitutional amendments by the Vacaville Reporter, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 913—An Act to provide for the payment of advertising the constitutional amendments by the Vallejo Times, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

WITHDRAWAL OF BILL.

Mr. Dunlap (at request of Mr. Valentine, the author) withdrew Assembly Bill No. 511.

SPECIAL ORDERS.

Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an

Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knowland, La Bree, Le Baron, Lardner, Lunquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—65

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

WHEREAS, On the 13th day of January, 1899, the Speaker authorized the appointment of Ralph Schleur and Emmet Rhodes as Pages, to fill an urgent need for more Pages; and

WHEREAS, As they have served faithfully and well in the positions to which they were assigned; it is

Resolved, That their appointment be and it is hereby confirmed, and the Controller is hereby directed to draw his warrant in favor of Ralph Schleur and Emmet Rhodes for \$45, the same being based on a per diem of \$2 50, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Also:

WHEREAS, The Committee on Municipal Corporations have a number of bills in the committee to be reported upon; and

WHEREAS, Said committee has no committee clerk assigned; and

WHEREAS, Speaker Wright on the 19th day of January, 1899, authorized the chairman of said committee to appoint a clerk for said committee; and

WHEREAS, The chairman appointed one Miss M. Peterson, who has been on duty as clerk of said committee from the above date, but has received no pay for such services; now, therefore, be it

Resolved, That the said Miss M. Peterson be paid from the above-named date for her services from the Contingent Fund of the Assembly, and that she be retained on said committee as clerk during the session.

The following amendment was submitted by Mr. Raw:

Amend by inserting after the word "Assembly," the words "and the Controller is hereby directed to draw his warrant in favor of Miss M. Peterson for the sum of \$60, being at the rate of \$4 per diem, and the Treasurer is hereby directed to pay the same."

Amendment adopted.

Also:

WHEREAS, The Committee on Counties and County Boundaries have had and now have before them several bills, and said committee having had no regular clerk, and the chairman requested and appointed Lloyd Childs to act as clerk, who did so act and perform the duties of clerk of the committee, therefore, be it

Resolved, That the Controller be directed to draw his warrant in favor of said Lloyd Childs for such services from January 10th to February 1st (both days inclusive), and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly, and that said Childs shall continue and act as such clerk of said committee.

Also:

WHEREAS, Your Committee on Agriculture have had, and now have, before it several bills, and said committee having had no regular clerk, and the chairman requested and appointed Clyde Alvord to act as clerk, who did so act and perform the duties of clerk of the committee; therefore, be it

Resolved, That the Controller be directed to draw his warrant in favor of said Clyde

Alford for such services, from January 10, 1899, to February 1, 1899 (both days inclusive), and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly; and

Resolved further, That the said Alford shall continue and act as such clerk of said committee

Also:

Resolved, That Charles Prince be paid \$72 as compensation for his services as Porter for the Assembly from January 9, 1899, to February 1, 1899

Have had the same under consideration, and we do find that the work was done as stated; that said work is reasonably worth the sum charged, but that the several persons in above resolutions were irregularly appointed, and we do therefore respectfully report the same back without recommendation.

LUNDQUIST, Chairman.

Report of Committee on Attachés and Employés ordered printed in the Journal, and to lay over one day.

SPECIAL ORDERS—(RESUMED).

ASSEMBLY CONCURRENT RESOLUTION No. 16.

Relative to consent of the Legislature to the absence of the Governor of the State, Hon. Henry T. Gage, from the State for a period not to exceed four months.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California has consented, and does hereby consent, that the Governor of the State of California, the Hon. Henry T. Gage, may depart from the State of California at any time during the remainder of his official term, and may remain absent for a period not to exceed four months from and immediately succeeding the time of his departure.

Read and adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 542 ordered on second-reading file.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V of the Political Code, relating to the State Library.

Passed on file.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Ordered on Senate special file.

SPECIAL FILE.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 14.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section to Article IX thereof, to be numbered with the next consecutive number of sections to said article, relating to exempting from taxation all property of "The California School of Mechanical Arts"

The Legislature of the State of California, at its thirty-third session, commencing on

the second day of January, Anno Domini one thousand eight hundred and ninety-nine, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that a new section be added to Article IX of the Constitution of the State of California, to be known and designated with the next consecutive numeral in said article, as follows:

All property now or hereafter belonging to "The California School of Mechanical Arts," an institution founded and endowed by the late James Lick to educate males and females in the practical arts of life, and incorporated under the laws of the State of California, November 23, 1885, having its school buildings located in the City and County of San Francisco, shall be exempt from taxation. The trustees of said institution must annually report their proceedings and financial accounts to the Governor. The Legislature may modify, suspend, and revive at will the exemption from taxation herein given.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

YAYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Henry, Hoy, Huber, Jilson, Johnson, Kelley, Kenneally, Knowland, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—60.

NOES—None.

Title read and approved.

RECESS.

At eleven o'clock and fifty minutes A. M., on motion of Mr. Wade, the Assembly took a recess until eleven o'clock and fifty-eight minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-eight minutes A. M., the Assembly reconvened.

Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 17, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators. The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Bulla, Burnett, Chapman, Curtin, Currier, Cutter, Davis,

Dickinson, Doty, Feeney, Flint, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Luchsinger, Smith, Stratton, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, February 16, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, February 16, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senators Gillette and Taylor—2.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Thomas R. Bard—Senators Flint and Rowell—2.

For Irving M. Scott—Senator Davis—1.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Langford, La Rue, Pace, Prisk, and Sims—10.

For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators	36
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	8 votes.
J. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.
William T. Jeter received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knowland, and Lardner—5.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—8.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Stewart, E. D. Sullivan, Wardell, and White—17.
For John Rosenfeld—Mr. Crowley—1.
For James D. Phelan—Mr. Burnett—1.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	5 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	8 votes.
D. M. Burns received	18 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	17 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	9 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	10 votes.
D. M. Burns received	26 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	27 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	27 votes.
William T. Jeter received	1 vote.
James D. Phelan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-five minutes P. M., Senator Curtin moved to adjourn until Saturday, February 18, 1899, at twelve o'clock M. Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, February 18, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-six minutes P. M., on motion of Mr. Wright, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

RECESS.

On motion of Mr. Dibble, the Assembly took a recess until two o'clock and fifteen minutes P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock and fifteen minutes P. M.
Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed on file.

LEAVE OF ABSENCE.

Mr. Boynton was granted leave of absence for the afternoon, on motion of Mr. Hoey.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 21—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof; to provide the penalty therefor and to appropriate money to enforce the same.

Passed on file.

Mr. Valentine moved that Senate Bill No. 21 be stricken from the files.
So ordered.

Mr. Valentine moved that Assembly Bill No. 10 be re-referred to Committee on Ways and Means.

So ordered.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Read second time.

Mr. Valentine moved that the Assembly do now resolve itself into

Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 277.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 277 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Pending the consideration of the report of the Committee of the Whole, Mr. Valentine moved that the matter be continued.

So ordered.

Senate Bill No. 277 ordered on unfinished business file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Valentine: Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use and the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing.

Read first time, and referred to Committee on Public Printing.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 49—An Act to amend Sections 1094, 1095, 1096, 1097, 1101, 1103, 1104, 1105, 1113, 1115, 1116, 1130, 1204, 1261, and to repeal Sections 1098, 1099, 1100, and 1114 of the Political Code.

Read third time, and passed temporarily on file.

Senate Bill No. 59 (Substitute for Assembly Bill No. 124)—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Passed on file.

Senate Bill No. 593—An Act to appropriate \$7,500 for the purpose of sending an expert to Australia, New Zealand, or other countries, to collect and import into this State for general distribution parasitical and predaceous insects, which in those countries prey upon such species of fruit and tree pests as abound in the orchards of this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Dale, De Lancie, Dibble, Dunlap, Fair-

weather, Feliz, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, O'Brien, Pierce, Raub, Rickard, Robinson, Wade, Wardell, Works, Wright, and Mr. Speaker—43.
NOMES—None

Title read and approved.

Senate Bill No. 211 (Substitute for Assembly Bill No. 240)—An Act making an appropriation to pay the claim of Thomas Hatch.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 211.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 211 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 211 (Substitute for Assembly Bill No. 240)—An Act making an appropriation to pay the claim of Thomas Hatch—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 211 ordered to third reading.

Senate Bill No. 421—An Act to amend Section 1195 of the Political Code.

Read second time, and ordered on third-reading file.

Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class.

Passed on file.

Senate Bill No. 118 (Substitute for Assembly Bill No. 476)—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 118.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 118 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

GENTLEMEN: Your Committee of the Whole have had under consideration Senate Bill No 118—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor—and do now report the same back with amendment, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 118—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out of Section 4, line 2, the words "its passage," and inserting the words and figures "January 1, 1900"

Amendment adopted.

Senate Bill No. 118 ordered to print and third reading.

The Speaker announced the appointment of the following Committee of Conference on Senate Bill No. 118: Messrs. White, Dunlap, and O'Brien.

Senate Bill No. 49—An Act to amend Sections 1094, 1095, 1096, 1097, 1101, 1103, 1104, 1105, 1113, 1115, 1116, 1130, 1204, and 1261, and to repeal Sections 1098, 1099, 1100, and 1114, of the Political Code.

Mr. Belshaw moved that Senate Bill No. 49 be referred to a select committee of one, with instructions to amend as follows:

Amend title by striking out of line 1 the figures "1101."

Also: Amend by inserting in line 3 of the title, after the figures "1100," the figures "1101."

Also: Amend by striking out all of lines 119, 120, and 121 of printed bill.

Also: Amend by striking out all of line 123, printed bill, beginning with the word "returned," down to and including the word "or."

Also: Amend line 1, Section 2, by inserting after the figures "1100" the figures "1101."

So ordered.

Mr. Belshaw was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER. Your select committee of one, to whom was referred Senate Bill No. 49—An Act to amend Sections 1094, 1095, 1096, 1097, 1101, 1103, 1104, 1105, 1113, 1115, 1116, 1130, 1204, and 1261, and to repeal Sections 1098, 1099, 1100, and 1114, of the Political Code—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BELSHAW, Committee.

Report adopted.

Senate Bill No. 49 ordered to print and third reading.

SPECIAL FILE.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Passed on file.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, O'Brien, Pierce, Radcliff, Raub, Rickard, Eugene Sullivan, Wade, Wardell, and Mr. Speaker—43.

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Constitutional Amendment No. 6, and Assembly Bills Nos. 45, 302, 273, and 293.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article XIII, relative to exempting from taxation churches and chapels.

Assembly Bill No. 45—An Act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as part of such municipality, and for the districting, government, and municipal control of annexed territory.

Assembly Bill No. 302—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Assembly Bill No. 273—An Act to amend Sections 2, 3, 4, and 5 of an Act entitled "An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

And were presented to the Governor February 17, 1899, at three o'clock P. M.

RICKARD, Chairman

MOTION.

Mr. Dibble moved that the Assembly do now consider Senate Bill No. 54, having been passed temporarily on file.

So ordered.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 54.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 54 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—and do now report, and ask leave to sit again.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 54—An Act to provide for the issuance and sale of

State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 by striking out all after the word "southward," in line 5, page 1, printed bill, down to and including the words "San Francisco," in line 8, page 2, and inserting in lieu thereof the following: "as defined and limited in Section 2524 of the Political Code, and as the commercial interest of the Port of San Francisco may most require"

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 by inserting after the word "of," in line 20, page 2, printed bill, the words "not exceeding."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 1 by striking out the period after the word "dates," in line 27, page 2, printed bill, and inserting the following words: "unless sooner redeemed as herein-after provided."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 1 by inserting after the word "interest," in line 32, page 2, printed bill the following: "unless proposals for the surrender thereof shall have been made and accepted, as hereinafter provided."

Amendment adopted.

AMENDMENT No. 5.

Amend Section 5 by inserting after the word "forth," in line 3, page 4, printed bill, the following: "or whenever it shall be necessary to determine what portion of the seawall shall be constructed."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 6 by striking out all after the word "thereafter," in line 35, page 6, printed bill, down to and including the word "law," in the next line, and inserting the following: "provided, that there shall be no increase of the rates or charges above those now limited and authorized by law."

Amendment adopted.

AMENDMENT No. 7.

Amend Section 6 by adding the following: "At any time after the expiration of five years from the date of the issue of such bonds, respectively, the said Treasurer may cause notice to be given by advertisement, stating the amount in the said San Francisco Seawall and Thoroughfare Sinking Fund for the redemption of said bonds, and inviting sealed proposals for the redemption, surrender, and cancellation of said bonds, with the interest thereon, to the specified amount in said Sinking Fund; and at the date designated in the notice the bids shall be opened, if any there be, and the bid or bids offering to surrender bonds for the lowest sum, not more than par value, shall be accepted. If sufficient bids shall not be received to consume the money in the Sinking Fund and the whole or a portion deemed sufficient for the purpose shall still remain therein, notice shall be given by advertisement, for not less than thirty days, stating that there is an amount, to be specified in the notice, still remaining in the Sinking Fund to be applied to the redemption of the bonds with interest thereon in the order of their respective dates of issue, and if said bonds be not presented for redemption, surrender and cancellation within the time specified in the notice, they shall thereafter cease to bear interest, and the amount in the Sinking Fund shall be kept for their redemption when presented, but no more shall be paid therefor than the amount of principal and interest due at the expiration of the time specified in the aforesaid notice"

Amendment adopted.

AMENDMENT No. 8.

Amend by making a new section, to read as follows:

"Sec. 12. All expenditures for construction of seawall under the provisions of this Act shall be first passed upon by the State Board of Examiners, and warrants for the payment thereof be drawn by the Controller upon the Treasurer, payable out of the San Francisco Seawall and Thoroughfare Fund."

Amendment adopted.

Senate Bill No. 54 ordered to print and third reading.

SPECIAL ORDER.

In re Milton J. Green contempt proceedings.

COMMUNICATION AND CERTIFICATE.

OAKLAND, CALIFORNIA, February 16, 1899.

To the Honorable the Assembly of the State of California:

This is to certify that I am now, and have since Monday last (February 13), been in attendance upon Milton J. Green; that his physical condition is such as to render it unwise for him to appear at the bar of the Assembly on Friday, February 17, 1899, and he is unable to so appear. In my judgment, if he continues to improve he ought to be able to go to Sacramento in about one week.

S. E. KELLEY, M.D.

Mr. Belahaw moved that the matter be continued and made special order for next Friday, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Feliz moved that Assembly Constitutional Amendments Nos. 15 and 16 be restored to their proper place on the special file.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Mr. Dibble moved to refer Assembly Bill No. 349 to a select committee of one, with instructions to amend as follows:

Amend Section 1, lines 12 and 13, printed bill, by striking out the words "person intending to become a."

Also: Amend by striking out in Section 2, lines 6 and 7, the words "person intending to become a."

Also: Amend by striking out in Section 2, line 10, the words "person intending to become a."

Also: Amend by striking out in Section 2, line 16, the words "person intending to become a."

So ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 349 ordered to print and reengrossment.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing

for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed on file.

Mr. Bliss moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 17, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 103 and 301.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 17, 1899. }

To the Assembly of the State of California

Pursuant to the requirement of Section 6 of an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893, I have the honor to report to your honorable body that on the 8th day of August, 1895, in the Superior Court of San Francisco, State of California, in case No. 43553, wherein J. F. Chapman was plaintiff and the people of the State of California was defendant, a judgment for plaintiff in the sum of \$1,265, with interest, was entered against the people.

The said action will be found referred to on pages 6 and 86 of the report of the Attorney-General of the State for the years 1895 and 1896.

I find that this judgment has not heretofore been reported to the Legislature. I suggest that Section 6 be amended so that the Attorney-General, and not the Executive, make such reports in future.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved that the messages be printed in the Journal and lay over one day.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed on file.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, and for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brown, Burnett, Caminetti, Cobb, Conrey, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin,

Hoey, Huber, Jilson, Johnson, Kelley, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Melick, Merrill, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Wade, Wardell, and Mr. Speaker—41.
NAYS—None.

Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office, and vault connected therewith, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Bliss, Blood, Burnett, Caminetti, Cobb, Conrey, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Hoey, Huber, Jilson, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, O'Brien, Pierce, Raub, Raw, Rickard, Eugene Sullivan, Wardell, Works, Wright, and Mr. Speaker—33.
NAYS—Messrs. Belshaw, Brown, Johnson, Le Baron, Melick, Robinson, and Wade—7.

NOTICE OF RECONSIDERATION.

Mr. Brown gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 411 was to-day refused final passage.

MOTION.

Mr. Dibble moved that the action of the Assembly adopting the report of the Committee on Rules and Regulations providing for a session this evening be reconsidered and annulled, and when the House adjourn this afternoon, it be for the day.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following temporary rule under Standing Rule LXVI of the Assembly:

That when on Saturday, February 18th, the consideration of the file is reached, it shall be in order for any member to call up any bill on any file for amendment. If objection is made to the consideration of any bill so called up, the question of suspension of the rules for the consideration of the bill shall be put to the House by the Speaker. During the consideration of this special order of business no other business shall be transacted, except by unanimous consent. After the conclusion of this special order of business the files shall be taken up in regular order.

DIBBLE, Chairman.

Report adopted.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, February 18, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 18, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Atherton, Beecher, Belshaw, Blood, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—46.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

RESOLUTION.

By Mr. Valentine:

Resolved, That the Pages, Gatekeepers, Doorkeepers, and other attachés on the floor of the Assembly be and they are hereby instructed to obey the orders of the Sergeant-at-Arms; and the Sergeant-at-Arms is hereby instructed to report forthwith to the Assembly any such attaché failing to so obey or to discharge his duties, and that upon such report the per diem of the attaché so reported shall be withheld pending investigation by the Committee on Attachés and Employés.

Resolution adopted.

LEAVE OF ABSENCE.

Mr. Clough was granted leave of absence until Monday noon, on motion of Mr. McDonald of Tuolumne.

Messrs. Greenwell and Bliss were granted leave of absence until Monday noon, on motion of Mr. Belshaw.

Mr. Cowan was granted leave of absence until Monday noon, on motion of Mr. Wade.

Mr. Kelsey was granted leave of absence until Monday noon, on motion of Mr. McKeen.

Messrs. White and O'Brien were granted leave of absence until Monday noon, on motion of Mr. Hoey.

Mr. Merritt was granted leave of absence until Monday noon, on motion of Mr. Crowder.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Chynoweth.

The Journal of Thursday, February 16, 1899, was read and approved.

MOTION.

Mr. Atherton moved that Senate Bill No. 59 be returned to the printer for correction.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 494—An Act to pay the claim of G. H. Smith for services rendered as Porter in the Assembly at the thirty-second session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bills Nos. 494 and 212 ordered on second-reading file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 627—An Act to amend Section 876 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and report the same back with the recommendation that it do pass.

Also: Assembly Bill No. 703—An Act to add a new section to an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, to be known as Section 54 of said Act, validating certain assessments and permittingsuits to be brought upon the same—and report the same back without recommendation.

Also: Assembly Bill No. 787—An Act to establish uniform rates to be charged by any company or corporation doing business within municipal corporations exceeding 50,000 inhabitants in the State of California, for furnishing electric light to the inhabitants thereof, and establishing the method of fixing said rates—have had the same under consideration, and report the same back with the recommendation that it do pass.

Also: Assembly Bill No. 66—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California," approved March 26, 1895—have had the same under consideration, and report the same back with the recommendation that it do pass, and that it be substituted for Assembly Bill No. 429, and that the author of the latter be permitted to withdraw the same.

Also: Assembly Bill No. 312—An Act to amend Section 3107 of the Political Code, relating to the laying out and dedicating of cemeteries on public lands—have had the same under consideration, and report it back, and recommend that it do not pass.

Also: Assembly Bill No. 530—An Act to provide for sweeping, cleaning, and sprinkling of streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Also: Assembly Bill No. 519—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work and public printing—have had the same under consideration, and report the same back without recommendation.

Also: Assembly Bill No. 537—An Act to amend Sections 757 and 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 580—An Act relating to the storage of gunpowder, giant powder, or other combustible material—have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

RAW, Chairman.

Assembly Bills Nos. 627, 703, 787, 66, 312, 530, 519, 537, and 580 ordered on second-reading file.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 704—An Act to require certain county officers to perform the duties of certain city officers when the city so elects—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUBER, Chairman.

Assembly Bill No. 704 ordered on second-reading file.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 285—An Act allowing any County, City, or Town Treasurer to deposit public funds or moneys paid into his hands in incorporated State banks—have had the same under consideration, and respectfully report the same back without recommendation.

JILSON, Chairman

Assembly Bill No. 285 ordered on second-reading file.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals in this State, having visited the Southern California State Hospital, situated in San Bernardino County, and having made a report of the condition thereof, herewith present their bill of expenses of the trip, as follows:

Wade.....	\$110 00
Lundquist.....	110 00
Merritt.....	110 00
Meserve.....	110 00
Cargill.....	110 00
Crowly.....	110 00
La Barea.....	110 00
Marvin.....	110 00
Boynton—substitute for Clark.....	110 00
Devoto—substitute for Dunlap.....	110 00
Total.....	\$1,110 00

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1899

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Preston School of Industry, located at Ione, have visited the same.

The following members are entitled to mileage for the same, to wit, 108 miles:

J. A. Beecher.....	\$10 80
J. Fairweather.....	10 80
F. B. Glenn.....	10 80
H. W. Miller, in lieu of L. A. Henry.....	10 80
J. W. Atherton, chairman.....	10 80
C. W. Atherton, clerk.....	10 80
	<u>\$64 80</u>

We ask for the adoption of the following:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of J. W. Atherton, chairman of said committee, for the sum of \$64 80, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that both of said reports be adopted.

ROBINSON, Acting Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 807—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroners' inquests held on the body of any person confined in such prisons and schools, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ATHERTON, Chairman.

Assembly Bill No. 807 ordered on second-reading file.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 223 of said Act, relating to and providing for county charges.

Also: Assembly Bill No. 186—An Act relating to the compensation of County Records in counties where their compensation is fees only, instead of salary.

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn.

Also: Assembly Bill No. 219—An Act to amend an Act entitled "An Act to authorize the Board of Supervisors or other governing authorities of the several counties, cities and counties, cities, and towns of the State to provide pensions or benefits for the relief

of aged, infirm, or disabled firemen," approved March 11, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 362—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchasers of State school land—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn.

Also: Assembly Bill No. 686—An Act to amend Section 2 of an Act entitled "An Act to require an inventory of the State and county property, and directing that a record of the same be kept," approved February 9, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

HUBER, Chairman

Assembly Bills Nos. 38, 186, 219, 362, and 686 ordered on second-reading file.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 713—An Act for the protection of pheasants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EUGENE SULLIVAN, Chairman.

Assembly Bill No. 713 ordered on second-reading file.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 590—An Act to establish a Bureau of Records of the War of the Rebellion, the National Guard of California, the Spanish-American war, and the preservation of military records and relics, and authorizing the Adjutant-General to appoint a chief of such bureau, and fixing the amount of his salary—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States volunteer service in the Spanish-American war of 1898, their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

HENRY, Chairman.

Assembly Bills Nos. 590 and 789 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 10—An Act appointing John Mullan agent of this State to collect from the United States all moneys heretofore paid, and which may also become due this State on account of obligations heretofore assumed by this State for the benefit and "common defense" of the United States, growing out of Indian hostilities in this State and upon the borders thereof, including also all moneys which may become due this State on account of the five per cent of the net proceeds of the sales for cash or otherwise of the public lands made by the United States in this State, and allowing him compensation therefor in the event of success.

Also: Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended

VALENTINE
CAMINETTI.
WORKS
GRIFFIN.
WARDELL.
CORB.

Assembly Bill No. 10 ordered on second-reading file.

Senate Bill No. 7 ordered on Senate special file.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Fran-

cisco, State of California, and making an appropriation of \$150,000—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DE LANCIE, Chairman.

Assembly Bill No. 443 ordered on second-reading file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Also: Assembly Bill No. 724—An Act to amend Section 2587 of the Civil Code of the State of California, relative to the contents of an insurance policy.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

RAUB, Chairman.

Senate Bill No. 72 ordered on Senate special file.

Assembly Bill No. 724 ordered on second-reading file.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 765—An Act to amend an Act entitled "An Act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1, of Sutter County," approved March 20, 1874, extending the time during which the Board of Directors may sit as a Board of Equalization—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

DUNLAP, Chairman.

Assembly Bills Nos. 744 and 765 ordered on second-reading file.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Standing Rule LXVI of the Assembly:

"That at the session of the House, to be held Monday evening, February 20, 1899, at eight o'clock, the order of business shall be consideration of the second-reading file; that during the consideration of said order of business no other business shall be transacted, except by unanimous consent of the House."

DIBBLE, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule, under Standing Rule LXVI of the Assembly:

"That the following appropriation bills, reported upon by the Committee on Ways and Means, shall be considered by the Assembly on Tuesday, Thursday, and Friday evenings, February 21st, 23d, and 24th, at the hour of eight o'clock; that no other business be transacted pending consideration of said bills, except by unanimous consent. Any of such bills which shall not be finally acted upon at the last of said special sessions shall be carried on the file, under the head of 'Unfinished Business,' on the special urgency file.

"At the commencement of the session of February 23d this file shall be taken up at the place where the Assembly shall have left off at the session of the 21st; and the same course shall be taken at the session of the 24th, when the file shall be taken up at the place that the Assembly may have left off at the session of the 23d."

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for

stationery, fuel, lights, and supplies for the Legislature and State offices for the forty-ninth fiscal year.

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc., as allowed, approved, and recommended by the State Board of Examiners.

Assembly Bill No. 616—An Act to provide for the purchase of new carpets, draperies, and furniture for the Senate and Assembly chambers, and making an appropriation therefor.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School buildings at San José, California.

Assembly Bill No. 84—An Act for the relief of W. O. Guirey.

Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, at Berkeley, California, which work was performed and materials furnished under contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Assembly Bill No. 644 (Substitute for Assembly Bill No. 256)—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Assembly Bill No. 155—An Act to prohibit the sophistication and adulteration of wine, and to prevent fraud in the manufacture and sale thereof, to provide the penalty therefor, and to appropriate money to enforce the same.

Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Assembly Bill No. 272—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year; to create the office of Expert to the Controller, and prescribing his compensation."

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State

Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same

Assembly Bill No. 622—An Act to amend an Act entitled "An Act to appropriate money for the support of orphans, half-orphans, and abandoned children," approved March 25, 1880

Assembly Bill No. 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year

Assembly Bill No. 690 (Substitute for Assembly Bills Nos. 290 and 350)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor

Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor

Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor

Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Assembly Bill No. 79—An Act to pay the claim of Thomas Klaridon against the State of California, and making an appropriation therefor.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing

Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis

Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company, for metallic furniture furnished the Clerk of the Supreme Court at Sacramento

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor

Assembly Bill No. 503 (Substitute for Assembly Bill No. 307)—An Act providing for the location of sites for reservoirs to store flood waters near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor

Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rogers, for services as elevator attendants in the Capitol building

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Wagon Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act"

Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor

Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District and the trustees thereof, against the State of California, and making an appropriation therefor.

Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for money due and owing to said Claus Spreckels from the State of California.

Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols, for services rendered to the State of California.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Assembly Bill No. 598—An Act appropriating money to pay the claim of William Henry Murray, State Superintendent of Ramie Culture.

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to

\$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Assembly Bill No 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Assembly Bill No 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Assembly Bill No 415—An Act making an appropriation to pay the claim of Julius Herzog, for injuries sustained while in the service of the National Guard of California.

Assembly Bill No 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Assembly Bill No 65—An Act making an appropriation to pay the claim of Maria Willhartitz, for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

Assembly Bill No 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen of such veteran volunteer firemen.

Assembly Bill No 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln in Golden Gate Park, in the City and County of San Francisco.

Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water, sprinkling, and pumping plant in the Yosemite Valley.

Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's, along the western shores of Lake Tahoe, and making an appropriation therefor.

Assembly Bill No 94—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

Assembly Bill No 238—An Act for the relief of Julius A. Holt, a private of Company C, First Regiment Infantry, Second Brigade, N. G. C., for injury sustained while in active service.

Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and to secure the site, and submit sketch plans and specifications therefor, to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes looking to the confinement of incorrigibles at the Folsom State Prison, to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation at such reformatory, when established, and to make an appropriation for such purposes.

Assembly Bill No 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor.

Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley, for the arrest of Ygnacio Eisler for attempted highway robbery.

Assembly Bill No 242—An Act making an appropriation to pay the claim of J. W. Sibole.

Assembly Bill No. 344—An Act to pay the claim of J. E. Atkinson against the State of California, and making an appropriation therefor.

Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Phiesch, for money due and owing to said Theodore Phiesch from the State of California.

Assembly Bill No. 26—An Act to pay the claim of William Sullivan against the State of California, and making an appropriation therefor.

Assembly Bill No 494—An Act to pay the claim of G. H. Smith, for services rendered as Porter in the Assembly at the thirty-second session of the Legislature.

Assembly Bill No. 340—An Act to amend the title to an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund," to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for the money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes, and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893," approved March 3, 1893; to amend Section 4 of the same Act, and to appropriate the sum of \$16,747.50, now in the University Fund and unavailable.

Assembly Bill No 656—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, etc., for the forty-eighth fiscal year, to pay the claim of the Sacramento Electric, Gas, and Railway Company for electric lighting in the State Capitol building.

Assembly Bill No 657—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, etc., for the forty-ninth fiscal year, to pay the

claim of the Sacramento Electric, Gas, and Railway Company for electric lighting in the State Capitol building.

Assembly Bill No 521—An Act to protect the health of consumers, and making an appropriation therefor.

Assembly Bill No 661—An Act making an appropriation to pay the claim of D. E. O'Keefe, for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Assembly Bill No 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton, for money expended and for services rendered in establishing the first free public school in the State of California.

Assembly Bill No. 29—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of \$65,000 for the support of the same."

Assembly Bill No. 59—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with the road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Assembly Bill No 699—An Act making an appropriation to pay the claim of John J. Snyder, for costs of suit in foreclosing delinquent purchases of State school lands.

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

Assembly Bill No 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs of the Capitol building and furniture for the fiftieth fiscal year.

Assembly Bill No 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Assembly Bill No. 697—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes, for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase livestock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Assembly Bill No 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk and suitable fencing along California and Park streets, in the City of Stockton, around the lands occupied by the State Hospital.

Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Assembly Bill No 558—An Act making an appropriation for a concrete floor in the basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Assembly Bill No. 754—An Act making appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of Supreme Court for the fiftieth fiscal year.

Assembly Bill No 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office, and vaults therein, and making an appropriation therefor.

Assembly Bill No 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Assembly Bill No. 663—An Act making an appropriation to pay the claim of C. W. Spring & Son.

Assembly Bill No 666—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty ninth fiscal year.

Assembly Bill No 667—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

Assembly Bill No. 604—An Act making appropriation to pay expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No. 778—An Act to provide for the claim of B. A. Johnson, for a balance due on supplies furnished the National Guard, and making an appropriation therefor.

Assembly Bill No. 830—An Act to provide for the payment of the claim of George H. Stewart, and making an appropriation therefor

DIBBLE, Chairman.

Mr. Dibble moved that the report be printed in the Journal, and lay over until Monday.

So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 17, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof—and appointed Senators Chapman, Leavitt, and Taylor as a committee of conference to meet a like committee already appointed by the Assembly.

Also: Concurred in Assembly amendments to Senate Bills Nos. 30 and 95

Also: Refused to pass the motion to reconsider Assembly Bill No. 145, and herewith return said bill as passed by the Senate on February 10.

Also: Passed Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 13, 1888, by adding thereto a new section, to be known as Section 61, relating to securing claims for labor done and material furnished for improvements under said Act.

Also: Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Also: Assembly Bill No. 163—An Act to amend Section 1033 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing and service and affidavit of bill of costs, and motion to retax same.

Also: Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested

Also: Refused to pass Assembly Bill No. 52—An Act to reduce the number of Judges of the Superior Court of San Bernardino County to one—and herewith return the same to your honorable body.

Also: Amended, and passed as amended, Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments and to include propositions

Also: Assembly Bill No. 53—An Act to provide for the reorganization of municipal corporations, and for determining the population thereof.

Also: Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 145, 61, 97, 163, and 207 ordered to enrollment.

Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Mr. Wade moved that the Assembly concur in the following Senate amendments:

Amend by striking out the whole of Section 1 thereof, and inserting in lieu thereof the following:

"SECTION 1. An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval, adopted March 7, 1883, is hereby repealed."

Also: Amend by striking out of line 1 of the title thereof the words "to amend Section 1 of," and inserting in lieu thereof the following: "To repeal"

Also: Amend by striking out of lines 5 and 6 of the title thereof the words "and to include propositions."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, De Lanceie, Dibble, Dunlap, Fairweather, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Pierce, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—42
NOES—Mr. Feliz—1.

Assembly Bill No. 166 ordered to enrollment.

Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Mr. Johnson moved that the Assembly concur in the following Senate amendments:

Amend by striking out all of line 4, page 1, printed bill.

Also: Amend by striking out of Section 1, line 10, the word "as," and inserting the word "at."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, De Lanceie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Wade, Wardell, Wright, and Mr. Speaker—42.
NOES—None

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Mr. Johnson moved that the Assembly concur in the following Senate amendment:

Amend Section 1 of "An Act to provide for the reorganization of municipal corporations, and for determining the population thereof," by adding to said section, after line 35, page 2, printed bill, the following:

"Provided, that if such canvass of votes on reorganization shall occur within less than thirty-five days prior to the time of a general municipal election in cities of the class into which it has been so voted to reorganize, or within three months after such time, then the said legislative body shall immediately call a special election, to be held within at least six weeks after said canvass of votes, which election shall be in lieu of and be conducted, as far as may be, as by law prescribed for such general municipal elections, and with like effect."

Pending consideration of the amendment, Mr. Johnson moved that the matter be continued, and be placed upon the unfinished business file.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 18, 1899 }

To the Assembly of the State of California:

I have the honor to call the attention of your honorable body to the State's finances

The condition of the treasury is such that, if everything be paid which the General Fund is chargeable with (even if not a single dollar be appropriated by your honorable body at this session of the Legislature), still, at the end of this year there will be the enormous deficiency in the General Fund of about \$900,000.

I most respectfully direct your attention to this condition of the finances, in order to correct the delusive statements which have been put abroad in reference to the plethoric condition of our treasury, and most respectfully urge upon you the great necessity for economy, and that you make only such appropriations as are of the most urgent character; and such appropriations should be made payable only, so far as possible, on and after the first day of January, 1900, at which time there will be an additional installment of State taxes.

If there be transferred at the proper time to the General Fund, from other funds, \$400,000, then, in view of the fact that some of the existing demands may not be presented, I think it safe to proceed on the basis that, with this transfer of \$400,000, we will have sufficient money with which to meet and manage our financial liabilities until the incoming taxes of January next.

I therefore respectfully request your honorable body to pass an Act directly authorizing the Governor for and during this year, when in his opinion the necessity arises, to order the Controller to direct the transfer of \$400,000 from other funds to the General Fund; and that this amount so transferred shall be returned to the fund or funds from which it be transferred as soon as there is sufficient money in the General Fund.

While I am decidedly opposed, as a general proposition, to this transfer of funds, I am confronted by a condition for which this administration is in no way responsible, and I trust that our finances may be so managed under this administration as to avoid a repetition of such a necessity.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved that the message be printed in the Journal, and be referred to Committee on Ways and Means.

So ordered.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 690 and 549.

Assembly Bill No. 690—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Assembly Bill No. 549—An Act to prohibit corporations doing a fire or marine or fire and marine insurance in this State, from advertising or publishing in this State any statement of capital not fully paid up in cash, or any assets not liable for losses in the United States, or of any assets not subject to the jurisdiction of the courts of the United States.

RICKARD, Chairman.

Assembly Bills Nos. 690 and 549 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly reengrossed: Assembly Bill No. 376 and Assembly Constitutional Amendment No. 7.

Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Assembly Constitutional Amendment No. 7—Relative to exempting certain school property from taxation.

RICKARD, Chairman.

Assembly Constitutional Amendment No. 7 ordered to enrollment.

Assembly Bill No. 376 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 573, 183, 365, 105, 440, 410, and 239.

Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith.

Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish.

Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operation of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Assembly Bill No. 410—An Act to add a new section to the Penal Code of the State of California.

Assembly Bill No. 239—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

RICKARD, Chairman.

Assembly Bills Nos. 573, 183, 365, 105, 440, 410, and 239 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Enrollment and Engrossment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code.

Assembly Bill No. 286—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes, and authorizing the Boards of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

And are in the hands of the committee for enrollment.

RICKARD, Chairman.

Assembly Bills Nos. 117 and 286 ordered to enrollment.

Mr. Caminetti moved that members be permitted to introduce bills until twelve o'clock M. to-day.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Griffin: Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising the constitutional amendments in the year 1898, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Brown: Assembly Bill No. 916—An Act to amend an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding and protection of property, and the creation of trusts for the founding, endowment, direction and maintenance within the State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, granting additional powers to the founders and trustees of such institutions, and to add a new section thereto.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 917—An Act to add a new section to the Code of Civil Procedure of the State of California, to be designated as Section 173, relating to appointments to office of relatives by Judges.

Read first time, and referred to Committee on Judiciary.

By Mr. Feliz: Assembly Bill No. 918—An Act making an appropriation to pay the claim of the Gonzales Tribune, for advertising constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Radcliff: Assembly Bill No. 919—An Act to appropriate the sum of \$2,500 to pay the claim of Mrs. Lucy Underwood McCann, for money due and owing the said Lucy Underwood McCann from the State of California.

Read first time, and referred to Committee on Ways and Means.

By Mr. Cobb (by request): Assembly Bill No. 920—An Act to regulate the practice of electro-therapeutics in the State of California.

Read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 921—An Act to amend Section 562 of the Civil Code, relating to homestead corporations.

Read first time, and referred to Committee on Judiciary.

By Mr. Jilson: Assembly Bill No. 922—An Act requiring foreign insurance companies to give security for the payment of their policies of insurance.

Read first time, and referred to Committee on Corporations.

By Mr. Fairweather: Assembly Bill No. 923—An Act making an appropriation to pay the claim of the Fresno Evening Democrat, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Read first time, and referred to Committee on Claims.

By Mr. Henry: Assembly Bill No. 925—An Act providing what imprint shall be placed on bills, placards, posters, pamphlets, and other printed matter having reference to an election of any candidate, and providing a punishment for a violation thereof.

Read first time, and referred to Committee on Judiciary.

By Mr. Glenn: Assembly Bill No. 926—An Act to repeal Chapter CCCCLXXIII of the Statutes of 1875-76, entitled "An Act to prohibit the sale of intoxicating liquors within one mile of College City, Colusa County, State of California."

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 927—An Act to provide for the payment for advertising constitutional amendments, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Hoey: Assembly Bill No. 928—An Act to enable the Board of Education of the City and County of San Francisco to continue and maintain the San Francisco Normal School, to secure better reorganization thereof, and to appropriate \$15,000 for the same.

Read first time, and referred to Committee on Education.

By Mr. McDonald of Tuolumne: Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. De Lancie: Assembly Bill No. 930—An Act to amend Sections 1637 and 1638 of the Political Code, relating to public schools.

Read first time, and referred to Committee on Education.

By Mr. Huber (by request): Assembly Bill No. 931—An Act making an appropriation to pay the claim of R. B. Young, for material, labor, and insurance premium paid in the construction and erection of the Whittier State School.

Read first time, and referred to Committee on Ways and Means.

By Mr. Brooke: Assembly Bill No. 932—An Act relating to the location of powder magazines in the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 933—An Act making an appropriation of \$15,000 for the opening and construction of a bitumen street, granite

curb, and cement sidewalks through Capitol Park, on Thirteenth Street, from L to N streets.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 934—An Act to appropriate the sum of \$300 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 935—An Act relating to Boards of Elections, and their compensation.

Read first time, and referred to Committee on Election Laws.

By Mr. Melick: Assembly Bill No. 936—An Act in relation to the assessment of land and the improvements thereof, for the purpose of taxation.

Read first time, and referred to Committee on Judiciary.

By Mr. Pierce: Assembly Bill No. 937—An Act to amend Sections 1637 and 1638 of Part III, Chapter III, Title III, of the Political Code, relating to school laws of California.

Read first time, and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly engrossed: Assembly Bills Nos. 208, 668, 225, and 691, Assembly Constitutional Amendment No. 14, and Assembly Concurrent Resolution No. 16.

Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor.

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags and broken stone, and materials for State and county roads only, and articles consumed in the State institutions.

Assembly Constitutional Amendment No. 14—Amending the Constitution by adding a new section to Article IX, relative to exempting certain property from taxation.

Assembly Concurrent Resolution No. 16—Relative to the consent of the Legislature to the absence of the Governor of the State, Henry T. Gage, from the State for a period not to exceed four months.

RICKARD, Chairman.

Assembly Bills Nos. 208, 668, 255, and 691 ordered on third-reading file.

ON AGRICULTURE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 675—An Act fixing a bounty on coyote scalps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and the bill be returned to the Assembly on February 26, 1899.

LE BARON, Acting Chairman.

Report adopted.

MOTION.

Mr. Feliz moved that Assembly Bill No. 566 be recalled from the

Committee on Ways and Means and referred to Committee on Public Buildings and Grounds.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAM McDONALD, Chairman.

Assembly Bill No. 846 referred to Committee on Ways and Means.

RESOLUTIONS.

By Mr. Henry:

WHEREAS, M. H. Dunn acted as clerk of the Committee on Military Affairs from January 7 until January 31, 1899 (both days inclusive), without receiving any compensation therefor;

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of said M. H. Dunn for the sum of \$100, and the State Treasurer is hereby directed to pay the same, out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Robinson:

Resolved, That the State Controller is hereby instructed to draw his warrant on the State Treasurer in favor of Owen Wade for the sum of \$1,100, being the amount found to be due the Committee on State Hospitals and Asylums, for visiting the State Hospital near San Bernardino, as per report of Committee on Mileage, and the State Treasurer is hereby instructed to pay same out of the contingent expenses of the Assembly

Resolution adopted.

Mr. Brown moved to reconsider the vote whereby Assembly Bill No. 411 was on yesterday refused final passage, and further moved to continue the motion to reconsider until the next legislative day.

So ordered.

The Speaker announced that the business of the day was the calling up of bills for amendments, as provided by the temporary rule under Standing Rule No. 66 of the Assembly, which was adopted on yesterday.

Mr. Dibble called up for consideration Assembly Bill No. 552.

Assembly Bill No. 552—An Act placing all companies selling certificates, bonds, or debentures with coupons attached thereto, on the partial payment or installment plan, doing business in this State, under the supervision and control of the State Board of Bank Commissioners.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1

Insert after the word "commissioners," in Section 1, line 8 of the printed bill, the following: "Sections 4, 5, and 11 of an Act entitled 'An Act creating a State Board of Bank Commissioners, and prescribing their duties and powers,' shall be and hereby are made fully applicable to all companies designated in this Act."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after line 7, page 2, printed bill, the following: "Section 3. It shall be the duty of the Bank Commissioners, within three months after the passage of this Act, to examine into the financial condition of all corporations coming within the provision of this Act, their methods of business, character of contracts, or obligations,

and any and all matters that affect the present solvency of such corporations, or their ability to meet the future obligations they are assuming. If in the opinion of a majority of such commissioners any such corporation is insolvent, or doing an unsafe business, or contracting future obligations that they will be unable to meet, then said commissioners shall report the facts to the Attorney-General, and it shall be his duty to at once begin proceedings for the forfeiture of the charter of such corporation, and to enjoin it from doing further business during the pendency of a suit."

Amendment adopted.

Assembly Bill No. 552 ordered to print, engrossment, and third reading.

Mr. Johnson moved that the Assembly do now consider messages from the Senate.

So ordered.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 136—An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of \$50,000 for the erection and furnishing of said residence, and of all expenses connected therewith—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 136—An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of \$50,000 for the erection and furnishing of said residence, and of all expenses connected therewith.

Mr. Johnson moved that the Assembly concur in the following Senate amendments to Assembly Bill No. 136:

AMENDMENT No. 1.

Amend by striking out the words and figures "sixty-nine thousand five hundred dollars (\$69,500)," in lines 1 and 2, Section 1, first page, printed bill, and inserting in lieu thereof "fifty thousand dollars (\$50,000)."

AMENDMENT No. 2.

Amend by striking out the word "mansion," in line 4, Section 1, first page, printed bill, and inserting in lieu thereof the word "residence."

AMENDMENT No. 3.

Amend by striking out all of Section 2, on the second page, printed bill, and inserting in lieu thereof the following: "The erection of said residence, the letting of the contract therefor, and the expenditure of all moneys for the construction and furnishing thereof shall be under the control and direction of the State Capitol Commissioners."

AMENDMENT No. 4.

Amend by striking out the word "mansion," in line 1, Section 3, second page, printed bill, and inserting in lieu thereof the word "residence."

AMENDMENT No. 5.

Amend by striking out all after the word "purposes," in lines 5 and 6, Section 3, second page, printed bill, and change comma for period.

AMENDMENT No. 6.

Amend by striking out the words "Governor's mansion," in line 1, Section 4, second page, printed bill, and inserting in lieu thereof the word "said."

AMENDMENT No. 7.

Amend by striking out the word "mansion," in line 2, Section 4, second page, printed bill, and inserting in lieu thereof the word "residence."

AMENDMENT No. 8.

Amend by striking out all after the word "by," in line 7, Section 4, second page, printed bill, and inserting in lieu thereof the word "them."

AMENDMENT No. 9.

Amend by inserting after the word "duties," in line 10, Section 4, page 2, printed bill, the following: "but such salaries, prizes, and expenses, together with the cost of construction and furnishing, shall not in the aggregate exceed the amount herein appropriated."

AMENDMENT No. 10.

Amend by inserting the words "and of all necessary expenses connected therewith" after the word "provided," in line 11, Section 4, page 2, printed bill

AMENDMENT No. 11.

Amend by striking out the words "sixty-nine thousand five hundred dollars," in lines 11 and 12, Section 4, page 2, printed bill, and inserting in lieu thereof the words "fifty thousand dollars."

AMENDMENT No. 12.

Amend by striking out lines 13, 14, 15, 16, 17, 18, and 19, and in line 20 the words "hundred dollars," on pages 2 and 3, printed bill, and inserting in lieu thereof the following: "for the erection of a Governor's residence and the payment for the necessary plans therefor and of all necessary expenses connected therewith, forty thousand dollars; for the furnishing of the Governor's residence, ten thousand dollars."

AMENDMENT No. 13.

Amend by striking out the words "Governor's mansion," in line 21, Section 4, third page, printed bill.

AMENDMENT No. 14.

Amend by striking out the word "mansion," in line 27, Section 4, third page, printed bill, and inserting in lieu thereof the word "residence."

AMENDMENT No. 15.

Amend by striking out the word "mansion," in line 1, Section 5, third page, printed bill, and inserting in lieu thereof the word "residence."

AMENDMENT No. 16.

Amend by striking out the word "mansion," in line 2, Section 6, third page, printed bill, and inserting in lieu thereof the word "residence"

AMENDMENT No. 17.

Amend by striking out all after the word "California," in lines 4 and 5, Section 6, third page, printed bill, and change comma to period.

AMENDMENT No. 18.

Amend by striking out the words "Governor's mansion," in line 4, Section 7, third page, printed bill, and inserting in lieu thereof the word "said."

AMENDMENT No. 19

Amend by inserting the following: "provided, that no contract price nor any portion thereof shall be payable before the first day of January, nineteen hundred," after the word "passage," in line 2, Section 9, third page, printed bill

AMENDMENT No. 20.

Amend by striking out all the title after the words "An Act," and inserting in lieu thereof the following: "Providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of fifty thousand dollars for the erection and furnishing of said residence, and of all expenses connected therewith."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, De Lancey, Dibble, Dunlap, Fairweather, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—47.

NOES—Mr. Feliz—1.

Assembly Bill No. 136 ordered to print, reëngrossment, and enrollment.

Mr. Melick called up for consideration Assembly Bill No. 602 (Substitute for Assembly Bill No. 168)—An Act to amend Section 2643 of the Political Code, relating to the road tax and its apportionment among road districts.

Read third time.

Mr. Melick moved that a select committee of one be appointed to amend Assembly Bill No. 602 as follows:

Amend by inserting after the word "into," in line 118, Section 1, page 4 of printed bill, the words "*provided*, that nothing contained in this subdivision (Subdivision 7) shall affect the provisions of section two thousand seven hundred and twelve (2712) of the Political Code of the State of California."

Also: In line 53 by striking out the word "or" after the word "graveling," and inserting a comma, and inserting after the word "macadamizing" the words "or otherwise permanently surfacing."

Also: In line 135, after the words "general road fund," insert the words "good road fund"

Also: In line 140 strike out the word "three" and insert "five."

Motion carried, and it was so ordered.

Mr. Melick was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 602 (Substitute for Assembly Bill No. 168)—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MELICK, Committee

Report adopted.

Assembly Bill No. 602 ordered to print and reëngrossment.

Mr. Robinson called up for consideration Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Read second time.

Mr. Robinson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 212.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 212 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend Section 1 of printed bill by striking out of line 1 the words "fifteen thousand," and inserting in lieu thereof the words "five thousand."

Amendment adopted.

Assembly Bill No. 392—An Act to authorize counties, cities and countries, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the words "and incorporated and chartered, or incorporated cities," in lines 1 and 2 thereof, as shown by the printed bill

Amendment adopted.

AMENDMENT No. 2.

Amend the title by striking out the words ' along county roads,' in line 5 thereof, as shown by printed bill.

Amendment adopted.

AMENDMENT No. 3.

Strike out all after the enacting clause, and insert as follows:

"SECTION 1. Counties, and cities and countries, in the State of California, are hereby, through the Boards of Supervisors thereof, authorized and permitted to license the use of bicycles, tricycles, automobile carriages and carts, and similar wheeled vehicles propelled by the power of the rider, or by motor under control of the rider, owned, rented, and used within the several jurisdictions above named; *provided*, that such license shall be granted and issued only on payment of a fee not to exceed one dollar a year for each of such vehicles; *and further provided*, that the money so collected shall be appropriated and used only for the purpose of constructing and maintaining paths for the wheeling of the above named vehicles; *and provided also*, that the sum of the taxes paid to the State, county, town, or municipality upon any vehicle the use of which is hereby authorized to be licensed, shall be deducted from the amount of the license fee hereby authorized, and credited upon the license; it being the intention that any license fee hereby authorized shall be collected in such less sum as is represented by the subtraction of the personal property tax from the sum of the license fee fixed by such ordinance.

"SEC. 2 When an ordinance establishing such license and fixing such license fee is passed, the fee shall be collected and the license issued in the manner and by the officer or officers provided for the issuance and collection of other licenses, and the governing body of such jurisdictions named in Section 1 of this Act may devise such label, tag, or certificate as is deemed necessary to be witness of the possession of such license, and the payment of such fee; *provided*, that no license shall be required for any vehicle so named in this Act as is in the possession of a merchant, manufacturer, or dealer, for the purpose of sale or barter, and not for use by the owner or his or her agent, or by persons to whom such vehicles are rented for use, by the hour, the day, the week, or other period of time

"SEC. 3 It shall be lawful for such Boards of Supervisors to provide an ordinance, or ordinances, for the enforcement of penalties for the violation thereof or for failure or refusal to take such license, or pay such license fee; *provided*, that no penalty shall exceed the sum of the said license fee, with the costs of collection and prosecution under the ordinance added thereto; nor shall any judgment of imprisonment exceed a period of twenty-four hours for violation of said ordinance

"SEC. 4. It shall be lawful to provide in any such ordinance authorized by this Act, for the application of the money collected to the construction and maintenance of such paths.

"SEC. 5. In no case shall any license or fee be required of travelers in counties, or cities and countries, other than that of their residence, nor from tourists, or visitors, or temporary residents of any city and county, or county.

"SEC. 6. All costs and charges for licenses herein provided for, for tags or visible evidences of issuance and possession of license, for receipts for payment of the license fee, and other necessary and inseparable expense related to such licenses, shall be paid from the sum of such collections of fees, *provided*, that no additional salary or fee shall be paid to any officer of any county, or town, or city, or city and county, for services in issuing or delivering licenses provided for by this Act, or for collecting the fees therefor, authorized and provided for in this Act.

"SEC. 7. This Act shall take effect and be in force from and after its passage."

Amendment adopted.

Assembly Bill No. 392 ordered to print, engrossment, and third reading.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 18, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lencie, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Muentzer, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—52.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, February 17, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, February 17, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, and Morehouse—3.
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Langford, La Rue, Pace, Prisk, and Sims—10.
For William T. Jeter—Senator Hall—1.

Whole number of votes cast by Senators.....	33
W. H. L. Barnes received.....	3 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr, received.....	6 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
William T. Jeter received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Lardner, and Muentner—5.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Conrey, Cosper, Melick, Robinson, and Valentine—6.
For D. M. Burns—Messrs. Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—13.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr—Messrs. Blood, Chynoweth, Crowder, Dale, De Lancie, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Radcliff, Raub, Raw, and Works—14.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Caminetti, Fairweather, Feliz, Griffin, Mack, and Wardell—6.
For James D. Phelan—Mr. Burnett—1.
For Thomas R. Bard—Mr. Greenwell—1.

Whole number of votes cast by Assemblymen.....	50
W. H. L. Barnes received.....	5 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	6 votes.
D. M. Burns received.....	13 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr, received.....	14 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	6 votes.
James D. Phelan received.....	1 vote.
Thomas R. Bard received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	83
Necessary to a choice.....	42
W. H. L. Barnes received.....	8 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	8 votes.

D. M. Burns received.....	20 votes.
C. N. Felton received.....	1 vote.
U. S. Grant, Jr., received.....	20 votes.
Thomas R. Bard received.....	3 votes
Irving M. Scott received.....	2 vote.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	16 votes.
William T. Jeter received.....	1 vote.
James D. Phelan received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-three minutes P. M., Senator Leavitt moved to adjourn until Monday, February 20, 1899, at twelve o'clock M. Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Monday, February 20, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Wright, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

In the absence of the Speaker and the Speaker pro tem., Chief Clerk Kyle called the Assembly to order at two o'clock P. M.

Mr. Belshaw nominated Mr. Caminetti for chairman.

Mr. Dibble seconded the nomination.

There being no further nominations, Mr. Caminetti was unanimously elected chairman.

Mr. Caminetti in the chair.

Speaker Anderson was granted leave of absence for the day, on motion of Mr. Dibble.

Mr. Dunlap was granted leave of absence for the day, on motion of Mr. Radcliff.

Mr. Wade called up for consideration Assembly Bill No. 260—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend title by inserting after the word "amend," in line 1, the words and figures "Sections 1 and 4."

Amendment adopted.

AMENDMENT No. 2.

Amend title by inserting after the word "soldiers," in second line of title, the words "army nurses."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 1 by inserting after the second word "Section 3," in line 1, the words "one and."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 1 by inserting after the word "follows," in line 2, a new paragraph to read as follows:

"SECTION 1. It shall be the duty of the Board of Supervisors of each county of this State to designate a proper person in the county whose duty it shall be to cause to be decently interred the body of any honorably discharged soldier, army nurse, sailor, or marine who served in the army or navy of the United States during the Civil War, or in the war with Mexico, who may hereafter die without having sufficient means to defray funeral expenses. Such burial shall not be made in any cemetery or burial ground, or any portion of such cemetery or burial ground, used exclusively for the burial of the pauper dead. The expenses of each burial shall not exceed the sum of fifty dollars (\$50)."

Amendment adopted.

AMENDMENT No. 5.

Amend Section 1 by inserting after the word "soldier," in line 7 of printed bill, the words "army nurse."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 1 by inserting after the word "soldier," in line 16 of printed bill, the words "army nurse."

Amendment adopted.

Assembly Bill No. 260 ordered to print, engrossment, and third reading.

Mr. Johnson called up for consideration Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes.

Read third time.

Mr. Johnson moved that Assembly Bill No. 255 be referred to a select committee of one, with instructions to amend as follows:

Insert after the word "road," in line 4, page 1, printed bill, the word "roll."

Also: Insert after the word "property," in line 4, page 1, printed bill, the word "road."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes—with instructions to amend the said Assembly Bill No. 255, now reports that the instructions of the Assembly have been carried out

JOHNSON, Committee.

Report adopted.

Assembly Bill No. 255 ordered to print and reengrossment.

Mr. Huber called up for consideration Assembly Bill No. 682—An Act to amend Section 2655 of the Political Code, relating to highway taxes.

Read second time.

Mr. Huber moved to amend as follows:

Amend by striking out the word "immediately," in line 1 of Section 2 of the printed bill, and inserting in lieu thereof the words "first day of April, eighteen hundred and ninety-nine"

Amendment adopted.

Assembly Bill No. 682 ordered to print, engrossment, and third reading.

Mr. McDonald of Alameda called up for consideration Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Mr. McDonald of Alameda moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Caminetti in the chair, for the purpose of considering Assembly Bill No. 212.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 212 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended.

CAMINETTI, Chairman.

Report adopted.

Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Mr. McDonald of Alameda moved to amend as follows:

Amend by striking out of Section 2, line 3 of printed bill, the word "fifteen" and inserting in lieu thereof the word "five"

Amendment adopted.

Assembly Bill No. 212 ordered to print, engrossment, and third reading.

Mr. Cobb called up for consideration Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake, to Lake Tahoe, a State highway.

Read second time.

The following committee amendment was submitted:

Amend on line 4, Section 1, first page of printed bill, by inserting the following after the word "Highway": "and thereafter said road shall be under the control and management of the Department of Highways."

Amendment adopted.

Assembly Bill No. 726 ordered to print, engrossment, and third reading.

Mr. Works called up for consideration Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

Mr. Works moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Caminetti in the chair, for the purpose of considering Assembly Bill No. 131.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 131 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay—and do now report the same, with amendments, and recommend that the same do pass as amended.

CAMINETTI, Chairman.

Report adopted.

Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the words "and fifty," on line 1, Section 1, page 1, printed bill.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the period after the word "harbor" and inserting in lieu thereof a comma, on line 7, Section 2, page 1, printed bill, and adding the following: "provided, however, that no part of the money so appropriated shall be expended in payment of any indebtedness accrued or accruing before the passage of this Act."

AMENDMENT No. 3.

Amend by inserting after "Committee Amendment No. 2" the following: "One half of the amount hereby appropriated shall be paid out of the funds of the fifty-first fiscal year, and one half out of the funds of the fifty-second fiscal year."

Assembly Bill No. 131 ordered to print, engrossment, and third reading.

Mr. Cobb called up for consideration Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic livestock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Mr. Cobb moved that Assembly Bill No. 607 be referred to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause, and insert in lieu thereof the following

"SECTION 1. The office of the State Veterinarian of the State of California is hereby created. It shall be the duty of the Governor, within sixty days from and after the passage of this Act, to appoint a skilled veterinary surgeon for the State of California to fill said office of State Veterinarian, who at the date of such appointment shall be a graduate in good standing of a recognized college of veterinary surgery, legally qualified to practice as such in this State, and shall hold his said office at the pleasure of the Governor. The salary of said veterinary surgeon shall on no account exceed the sum of \$2,000 per year, and his necessary expenses incurred in the discharge of his duties hereinafter provided for, not exceeding \$500 per annum. In making said appointment it shall be the duty of the Governor to disregard political affiliations, and be guided in his selection merely by the professional and moral qualifications of said veterinary for the performance of his duties.

"SEC 2. It shall be the duty of the State Veterinarian, provided for in the first section of this Act, to protect the health of all domestic animals of the State from all contagious and infectious diseases, so far as practicable; and for the purpose he is hereby authorized and empowered, by and with the approval of the Governor, to establish, maintain and enforce such quarantine, sanitary, and other regulations as he may deem necessary as to stock passing over any quarantine line existing, or which may be established within the State, and all such stock so moving shall be inspected by him, and he shall issue his certificate of State inspection, unless such stock shall have been, immediately prior to such moving, inspected by such officer or agent acting under the laws of the United States. Whenever it may become necessary to carry out and give effect to the provisions of this Act, the Governor is hereby authorized and empowered to appoint an Assistant State Veterinarian, whose tenure of office and salary shall be determined and fixed by the Governor.

"SEC 3. Upon information by him received of the existence of contagious or infectious diseases of domestic animals within this State, the State Veterinarian shall

proceed to thoroughly investigate the same, and he is hereby authorized, by and with the approval of the Governor, to establish such quarantine, sanitary, and police regulation as may be necessary to circumscribe and exterminate such diseases, and prevent the extension thereof, and he is hereby authorized and empowered to enter upon any grounds or premises and inspect any live stock necessary to carry out the provisions of this Act.

"SEC. 4. Upon the discovery of any of such contagious or infectious diseases, the State Veterinarian shall immediately inform the State Dairy Bureau, and the Board of Supervisors of the county or counties in which said disease exists, or diseased animals are located, of the existence of such disease and of such facts and circumstances in connection therewith as will enable said Board of Supervisors to take prompt and proper action to prevent the spread of such disease and to eradicate the same.

"SEC. 5. Upon the receipt of such report, it shall be the duty of said Dairy Bureau when more than one county is involved, and of the Board of Supervisors when only one county is involved, to proceed immediately to eradicate or suppress said disease, to prevent its spread or introduction among healthy animals, or the infection of pastures, roads, places, or sections theretofore free from said disease and uninfected.

"SEC. 6. Should said Board of Supervisors refuse or neglect for the period of five days to take any proper action to quarantine such cases of contagious or infectious diseases so reported to them, or to suppress or eradicate the same, or prevent the spread thereof, the State Veterinarian shall have the power, and it shall be his duty, to quarantine such county, or such portions thereof as may be necessary, and thereafter it shall be unlawful for the owners of the domestic animals quarantined, their agents or employes, to move any of such animals across the quarantine line established or without the county or portion thereof quarantined, without first obtaining a permit from the said State Veterinarian, who shall, before such permit is issued, inspect and, if necessary, cause such animals and vehicles of transportation to be disinfected according to the rules laid down by the United States Bureau of Animal Industry, Department of Agriculture, or until such quarantine has been raised or discontinued by said State Veterinarian.

"SEC. 7. The State Veterinarian shall determine, from time to time, the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among livestock of this State, and shall to that end cooperate with, and, so far as possible, obtain the assent of the proper United States authorities to the establishment or changing of quarantine lines which are or may be hereafter established, and when he shall have done so he shall notify the Governor thereof, who, if he approve, shall issue his proclamation proclaiming the boundary of such quarantine, and the orders, rules, and regulations prescribed for the maintenance and enforcement of such quarantine, and shall publish the same in such manner as he shall deem expedient.

"SEC. 8. Any person failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction be fined not less than \$100 nor more than \$500 for each offense, and shall be liable for any damage and loss that may be sustained by any person or persons by reason of the failure of such owner or agent to comply with the provisions of this Act.

"SEC. 9. For the purpose of carrying out the provisions of this Act there shall be appropriated the sum of \$8,000, not more than \$1,000 payable out of the revenues for the current fiscal year, out of the General Fund of this State.

"SEC. 10. This Act shall take effect and be in force from and after its passage."

Motion carried, and it was so ordered.

Mr. Cobb was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COBB, Committee

Report adopted.

Assembly Bill No. 607 ordered to print and reëngrossment.

Mr. Conrey called up for consideration Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors, and by the municipal authorities of cities and towns, to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operations of this

Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Read third time.

Mr. Conrey moved that Assembly Bill No. 440 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out from lines 3 and 4 of the title of the printed bill the words "and by the municipal authorities of cities and towns," and substituting therefor the word "counties."

Also: By striking out all of that part of Section 1 of the amended printed bill, from the beginning of line 4, page 1 of printed amended bill, to the end of line 31, on page 2 thereof, and substituting therefor the following:

"Section 2921. The Boards of Supervisors of counties in this State may grant to any railroad corporation authority to construct a wharf or pier on any lands bordering on any navigable bay, inlet, lake, creek, slough, or arm of the sea, situate in or bounding their counties respectively, with a license to take tolls for the use of the same for the term of the corporate existence of the said railroad corporations, whenever such board find the use of said wharf or pier necessary to the exercise of the franchise of such railroad corporation for terminal purposes, and the same may be granted without offering the same for sale.

"Nothing contained in the foregoing chapter, or in this section, shall be construed to limit the powers of such boards to grant the rights to such railroad corporations to build and construct for terminal purposes any wharf or pier of the width necessary for carrying on of the business of such railroad at such terminal, not to exceed 1,000 feet, and to the length that it may be desirable to construct the same, so that it may not prevent the navigation by boats and vessels of such navigable bay, inlet, lake, creek, slough, or arm of the sea, *provided*, that there shall be excluded from the operation of this section any and all territory and property under the jurisdiction or control of any municipal corporation or any Board of State Harbor Commissioners.

"All of the provisions of the laws of this State, now or hereafter enacted, not in conflict with anything in this section contained, are hereby made applicable to all proceedings had under this section."

Motion carried, and it was so ordered.

Mr. Conrey was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations when found necessary, without offering the same for sale, excepting from the operations of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners—with instructions to amend, now reports that the instructions of the Assembly have been carried out, and asks that action upon this report be passed until February 20, 1899, and that the amendments be printed in the Journal for information of the Assembly.

CONREY, Committee.

Pending consideration of the report of the select committee, Mr. Dibble moved that the amendments be printed in the Journal, and lay over until Monday, under unfinished business, and bill to retain place on file.

So ordered.

Mr. Mead called up for consideration Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and repeal all conflicting Acts.

Read third time.

Mr. Dibble moved that a select committee of one be appointed to amend Assembly Bill No. 652 as follows:

Amend by striking out of line 4, Section 1 of printed bill, the words "Building and Loan Commissioners," and inserting in lieu thereof the following: "Commissioners of Building and Loan Associations."

Also: Strike out of line 1, Section 2 of printed bill, the words "Building and Loan

Commissioners," and insert in lieu thereof the following. "Commissioners of Building and Loan Associations."

Also: Strike out of lines 6 and 7, Section 2 of printed bill, the words "under and by virtue of any and all Acts amendatory thereof," and insert in lieu thereof the following: Prescribed in Section 1 of said Act as a Board of Commissioners of Loan Associations"

Also: Strike out of lines 7 and 8, Section 2 of printed bill, the words "Building and Loan Commissioners," and insert in lieu thereof the words "Commissioners of Building and Loan Associations."

Also: Strike out of line 3, Section 7 of printed bill, the word "such," and insert in lieu thereof the words "building and loan."

Also: In line 3, Section 7 of printed bill, after the word "association," add the words "as defined in the Civil Code."

Also: Strike out of lines 8 and 9, Section 7 of printed bill, the word "commissioner," and insert in lieu thereof the words "commissioners, or either of them."

Also: Strike out all of lines 15 and 16 and all of line 17 (except the word "the"), in Section 7 of printed bill.

Also: Strike out of line 9, Section 9 of printed bill, the word "imprisoned," and insert in lieu thereof the word "imprisonment"

Also: Strike out of line 1, Section 12 of printed bill, the words "or other," and insert in lieu thereof the words "and other companies or"

Also: Strike out all of line 8 after the word "associations," and all of lines 9 and 10. Section 12 of printed bill.

Also: In line 1, Section 13 of printed bill, insert between the words "Acts" and "including" the words "in conflict with this Act"

Also: Strike out of line 5, Section 13 of printed bill, the word "all," where said word precedes the word "hereby."

Motion carried, and it was so ordered.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Assembly Bill No. 652 ordered to print, reëngrossment, and third reading.

Assembly Bill No. 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States Volunteer service in the Spanish-American war of 1898, their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California.

Read second time

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out line 13 of printed bill and inserting in lieu thereof the following: "term of office to which he has been elected or appointed."

Amendment adopted.

AMENDMENT No. 2

Insert after the word "provided," line 9 of printed bill, the following: "And the same shall apply to any volunteer whose term of service in the National Guard expires before being mustered out of said volunteer service, or within one hundred and twenty days thereafter, and who reenlists in the National Guard within said term, and also to any volunteer who enlists in the National Guard within said time"

Amendment adopted.

Assembly Bill No. 789 ordered to print, engrossment, and third reading.

Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "Comptroller," in line 7, Section 3, page 2, printed bill, and inserting in lieu thereof the word "Controller."

Amendment adopted.

AMENDMENT No. 2.

Amend by substituting a semi-colon for the period at the end of line 13, Section 3, page 2, printed bill, and adding the following: "*provided*, that not more than \$200,000 shall be paid during the fifty-first fiscal year, and the balance during the fifty-second fiscal year."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "commission," in line 13 of Section 1 of the printed bill.

Amendment adopted.

Assembly Bill No. 728 ordered to print, engrossment, and third reading.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Caminetti in the chair, for the purpose of amending Assembly Bill No. 764.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 764 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison—and do now report the same, with amendments, and recommend that the same do pass as amended

CAMINETTI, Chairman.

Report adopted.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

The following committee amendment was submitted:

Amend Section 1, lines 1 and 2, by striking out the words and figures "two thousand eight hundred and ninety-one dollars and twenty-five cents (\$2,891 25)" and inserting the words and figures "three thousand and forty-six dollars and seventy-five cents (\$3,046 75)."

Amendment adopted.

Assembly Bill No. 764 ordered to print, engrossment, and third reading.

Mr. Dibble called up for consideration Assembly Bill No. 82—An Act

to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 2, in line 3, by striking out the word "two" and inserting in lieu thereof the words "one hundred and fifty."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 of printed bill by striking out the word "two" and inserting in lieu thereof the words "one hundred and fifty."

Amendment adopted.

Assembly Bill No. 82 ordered to print, engrossment, and third reading.

Mr. Dibble called up for consideration Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District and the trustees thereof, against the State of California, and making an appropriation therefor.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 of printed bill by striking out the words "sixty-one hundred" and inserting in lieu thereof the words "three thousand."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, lines 3 and 4, by striking out the words "sixty-one hundred" and inserting in lieu thereof the words "three thousand."

Amendment adopted.

Assembly Bill No. 79 ordered to print, engrossment, and third reading.

Mr. Dibble called up for consideration Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 2, in line 3, by striking out the words "one thousand" and inserting in lieu thereof the words "eight hundred and fifty."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 of printed bill by striking out the words "one thousand" and inserting in lieu thereof the words "eight hundred and fifty."

Amendment adopted.

Assembly Bill No. 80 ordered to print, engrossment, and third reading.

Mr. Dibble called up for consideration Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 of printed bill by striking out the word "three" and inserting in lieu thereof the word "two."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, in line 3, by striking out the word "three" and inserting in lieu thereof the word "two."

Amendment adopted.

Assembly Bill No. 81 ordered to print, engrossment, and third reading.

Mr. Cobb called up for consideration Assembly Bill No. 414—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employes by the San Francisco Board of Health."

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "Quarantine Officer, who shall be a physician in good standing," on lines 4 and 5, Section 1, first page, printed bill.

Amendment adopted.

Assembly Bill No. 414 ordered to print, engrossment, and third reading.

Mr. Kelley called up for consideration Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872, and to repeal an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 9, 1887, and to repeal an Act entitled "An Act to amend Sections 1, 5, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "from and after its passage," in Section 2, and inserting in lieu thereof the word and figures "January 1, 1900."

Amendment adopted.

Assembly Bill No. 611 ordered to print, engrossment, and third reading.

Mr. Belshaw called up for consideration Assembly Bill No. 234—An Act to amend Section 1188 of the Civil Code of the State of California, relating to certificates of acknowledgments.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "July, eighteen hundred and ninety-eight," in line 2, page 1, printed bill, and inserting in lieu thereof the words "January, nineteen hundred."

Amendment adopted.

Assembly Bill No. 234 ordered to print, engrossment, and third reading.

Mr. Valentine called up for consideration Assembly Bill No. 742—An Act to amend Section 290 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read second time.

Mr. Valentine moved to amend as follows:

Amend subdivisions 6 and 7 to read as follows:

"6. The amount of its capital stock, and the number of shares into which it is divided, and if classified as common stock, and stock preferred as to the receipts of dividends, or as to participation in capital or dissolution, or both, the extent of such classification, and the number of shares in each class.

"7. If there is a capital stock, the amount actually subscribed, and by whom, and if classified, the class in which the same is subscribed."

Amendment adopted.

Assembly Bill No. 742 ordered to print, engrossment, and third reading.

Mr. Rickard called up for consideration Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing and sparring matches, and prize or ring fights.

Read second time.

The following committee amendment was submitted:

Amend by striking out the word "twenty" on line 17, Section 1, page 2, printed bill, and inserting in lieu thereof the following: "a limited number of rounds."

Amendment adopted.

Assembly Bill No. 588 ordered to print, engrossment, and third reading.

Mr. Huber called up for consideration Assembly Bill No. 513—An Act entitled "An Act to prohibit the manufacture, or sale, or operation of any mechanical device or machine known as a slot machine within the State of California."

Read second time.

The following committee amendment was submitted:

Amend by inserting on page 2, before the word "This," on last line, the following: "Sec. 6."

Amendment adopted.

Assembly Bill No. 513 ordered to print, engrossment, and third reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 938—An Act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State Treasury, and the return thereof to such funds.

Read first time, and ordered on second-reading file.

Mr. Dibble moved that the Assembly do now take up and consider messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 18, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 302.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 17, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 2, with my objections thereto.

This bill provides for the immediate appropriation of the sum of \$15,000, to be paid to the State Board of Prison Directors, to be expended by them, at the Folsom State Prison, in the construction of such a system as will dispose of the sewage of the Folsom State Prison without polluting the waters of the American River. While I am strongly of the opinion that the purpose for which this very large sum is asked is a laudable one, I disapprove of the present bill for the following reasons:

First—The letting of the contract, the entire work of the construction, and the determination of the amount of the items of expenditures, are left to the Board of State

Prison Directors, without any check whatsoever, the Board of Examiners being merely the agent of the directors for the approval of the bills.

Second—There is no limit to the amount for which the directors may contract in the construction of such work, and demands may hereafter, in consequence thereof, be made upon the Legislature for deficiency appropriations.

Third—The money is appropriated immediately out of the moneys of the General Fund for the present fiscal year. There is not sufficient money in the General Fund to justify this appropriation immediately.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 17, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 243, with my objections thereto.

This bill gives power to the Common Council or other governing body of municipal corporations of the first class to erect and furnish, at the expense of such corporations, a municipal hospital, and to levy and collect an ad valorem property tax on all property, real and personal, within the limits of such municipal corporations, the limit of such expenditures being \$300,000, and providing for the levying of the tax for such purpose in the fifty-first fiscal year, and not otherwise.

It is apparent from the tenor of the bill that the object in fixing the limit of expenditure at \$300,000 was to avoid the effect of Section 1 of Article XVI of the State Constitution, which reads as follows:

“The Legislature shall not, in any manner, create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of \$300,000, except in case of war to repel invasion or to suppress insurrection, unless the same shall be authorized by law for some single object or work to be distinctly specified therein, which law shall provide ways and means exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within twenty years of the time of the contracting thereof, and shall be irrevocable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until, at a general election, it shall have been submitted to the people and shall have received a majority of all the votes cast for and against it at such election; and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, or city and county, if one be published therein, throughout the State, for three months next preceding the election at which it is submitted to the people. The Legislature may at any time after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same.”

As the City and County of San Francisco is in the first class, it was, undoubtedly, the design in requiring this tax levy to be made in the fifty-first fiscal year, to evade the provisions of the new charter.

It was likewise the object of this bill, in view of the proposed large expenditure, to escape the effect of Section 18 of Article XI of the Constitution, which reads as follows:

“No county, city, town, township, Board of Education, or school district shall incur any indebtedness or liability, in any manner, or for any purpose, exceeding in any year the income and revenue provided for it for such year without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void.”

If these were not the objects, and if the bill was not designed to apply to San Francisco only, then the bill is wholly idle, because by subdivision 34 of Section 64 of Article III of “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883, municipal corporations of the first class already have the power to establish a municipal hospital. Said subdivision reads as follows:

“To establish and maintain an almshouse, a city and county hospital, a smallpox hospital, and such other institutions of the same character as are or may be necessary, and to perpetuate such institutions as may have been heretofore established in such cities, or cities and counties, heretofore incorporated.”

Again, the power of taxation is vested in municipal corporations as an essential attribute for all the purposes of existence, unless its exercise be in express terms prohibited. (Security Savings Bank & Trust Company vs. Hinton, 97 Cal. 219.)

The City and County of San Francisco did not, by organizing thereunder, accept the advantages offered by the above Act of March 13, 1883, relating to municipal corporations of the first class, to which classification Assembly Bill No. 243 pretends to apply in general terms.

Moreover, by the provisions of an Act entitled “An Act authorizing the incurring of

indebtedness by cities, towns, or municipal corporations, incorporated under the laws of this State, for the construction of water works, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain water works,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' approved March 19, 1889, the right is given to all municipalities (including San Francisco) to construct and complete any municipal building after a vote of two thirds of the members of the municipal council, the approval of the city's executive, and a two-thirds vote of the people of the city, in cases where the cost of such construction and completion is too great to be paid out of the ordinary annual income and revenue of the city.

But this bill itself is not, in my opinion, a general law, inasmuch as it provides specifically the limit of the amount to be raised by the city by taxation, and that such amount shall be raised in the fifty-first fiscal year, and is therefore unconstitutional—being in contravention of Section 12 of Article XI, and of the tenth subdivision of Section 25 of Article IV of the Constitution of the State. Section 12 of Article XI reads as follows:

"The Legislature shall have no power to impose taxes upon counties, cities, towns, or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes, but may by general laws vest in the corporate authorities thereof the power to assess and collect taxes for such purposes."

The tenth subdivision of Section 25 of Article IV of the Constitution of the State reads as follows:

"The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say:

"Tenth—For the assessment or collection of taxes."

But, independently of the illegality of the Act, I believe its policy to be wrong, for it seems to me manifestly unfair for the Legislature to vest in the municipal council or governing body the power to tax the people of a municipality for such large expenditures, without giving the people of the city the right to vote upon the tax, or to appear before the council for the purpose of remonstrance.

If the erection of a municipal hospital be desired by the city at so great a cost, it can now easily be accomplished, without this legislation, by getting the consent of its citizens expressed at the polls

HENRY T. GAGE,
Governor of the State of California

Mr. Dibble moved that the messages be printed in the Journal, and lay over until Monday as unfinished business.

So ordered.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Monday, February 20, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 20, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

RECESS.

On motion of Mr. Belshaw, at nine o'clock and forty minutes A. M. the Assembly took a recess until ten o'clock and fifteen minutes A. M.

REASSEMBLED.

The Assembly reconvened at ten o'clock and fifteen minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Crowder, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—67.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Saturday's Journal, the further reading was dispensed with, on motion of Mr. La Barea.

The Journal of Friday, February 17, 1899, was read and approved.

CORRECTION OF JOURNAL.

Mr. Cosper moved that the Assembly reconsider the vote whereby the Journal of Thursday, February 16, 1899, was approved.

So ordered.

Mr. Cosper moved that the report of the Committee on Contested Elections in the matter of the expenses of Thomas E. Brophy, contestee, as shown on page 5 of the Journal of Thursday, February 16, 1899, be corrected by changing a clerical error in footing the totals of the expenses of said contestee, and as carried out in the resolution authorizing the warrant to pay the same, so that the sum appearing as said total and in said resolution shall be \$529 15, instead of \$329 15, and that the said Journal for said day be corrected to show said change therein.

So ordered.

PETITION.

Presented by Mr. Dibble: Relative to the erection of a monument to the memory of Abraham Lincoln, in Golden Gate Park, San Francisco, California—signed by 650 residents of said city.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Ways and Means herewith submit their report for the week ending February 11, 1899:

Bills Referred to this Committee Since Last Report.

Feb. 13, Assembly Bill No. 26—Claim of William Sullivan	\$1,500 00
13, Assembly Bill No. 199—For Normal School in Calaveras County	50,000 00
13, Assembly Bill No. 242—Claim of J. W. Sibole	675 00
13, Assembly Bill No. 344—Claim of J. E. Atkinson	10,000 00
13, Assembly Bill No. 345—Claim of Fred B. Blakeley	300 00

Feb. 13, Assembly Bill No. 494—Claim of H. G. Smith	\$56 00
13, Assembly Bill No. 642—Claim of Theodore Plesch	500 00
13, Assembly Bill No. 628—Commission to promote prison reform	5,000 00
14, Assembly Bill No. 728—For Pacific Ocean and International Exposition	500,000 00
14, Assembly Bill No. 699—Claim of J. J. Snyder	172 59
14, Assembly Bill No. 733—Claim of J. E. Edson	3,000 00
14, Assembly Bill No. 734—Publishing constitutional amendments	6,900 00
14, Assembly Bill No. 735—Publishing constitutional amendments	7,170 48
14, Assembly Bill No. 736—Publishing constitutional amendments	575 00
14, Assembly Bill No. 747—Publishing constitutional amendments	150 00
14, Assembly Bill No. 748—Publishing constitutional amendments	175 00
14, Assembly Bill No. 749—Publishing constitutional amendments	150 00
14, Assembly Bill No. 750—To create the Board of State Capitol Commissioners	717 75
14, Assembly Bill No. 752—Publishing constitutional amendments	600 00
15, Assembly Bill No. 51—For improvements at the Southern California State Hospital	84,000 00
15, Assembly Bill No. 542—Lake Tahoe road	60,000 00
15, Assembly Bill No. 756—Claim of Louise Reinzi	1,370 70
15, Senate Bill No. 277—To pay armory rents, etc	30,000 00
15, Assembly Bill No. 760—Publishing constitutional amendments	2,160 00
15, Assembly Bill No. 761—Publishing constitutional amendments	450 00
15, Assembly Bill No. 762—Publishing constitutional amendments	550 00
15, Assembly Bill No. 763—Publishing constitutional amendments	2,500 00
15, Assembly Bill No. 764—Claim of Marin County	2,891 25
15, Assembly Bill No. 766—Publishing constitutional amendments	150 00
15, Assembly Bill No. 767—Publishing constitutional amendments	3,450 00
15, Assembly Bill No. 768—Publishing constitutional amendments	900 00
15, Assembly Bill No. 769—Publishing constitutional amendments	900 00
15, Assembly Bill No. 773—Publishing constitutional amendments	650 00
15, Assembly Bill No. 774—Publishing constitutional amendments	900 00
15, Assembly Bill No. 777—Publishing constitutional amendments	1,164 63
16, Assembly Bill No. 92—Improvements at Whittier State School	56,500 00
16, Assembly Bill No. 782—Publishing constitutional amendments	205 00
16, Assembly Bill No. 783—Publishing constitutional amendments	125 00
16, Assembly Bill No. 784—Publishing constitutional amendments	200 00
16, Assembly Bill No. 785—Publishing constitutional amendments	200 00
16, Assembly Bill No. 786—To pay expenses of receiving the First Regiment California Volunteers upon their return from the Philippine Islands	2,500 00
16, Assembly Bill No. 790—Publishing constitutional amendments	600 00
16, Assembly Bill No. 791—Publishing constitutional amendments	4,516 00
16, Assembly Bill No. 792—Publishing constitutional amendments	750 00
16, Assembly Bill No. 795—Publishing constitutional amendments	125 00
16, Assembly Bill No. 796—Publishing constitutional amendments	51 00
16, Assembly Bill No. 797—Publishing constitutional amendments	175 00
16, Assembly Bill No. 798—Publishing constitutional amendments	250 00
16, Assembly Bill No. 799—Publishing constitutional amendments	50 00
16, Assembly Bill No. 800—Publishing constitutional amendments	175 00
16, Assembly Bill No. 801—Publishing constitutional amendments	200 00
16, Assembly Bill No. 802—Publishing constitutional amendments	450 00
16, Assembly Bill No. 803—Publishing constitutional amendments	150 00
16, Assembly Bill No. 804—Publishing constitutional amendments	630 00
16, Assembly Bill No. 805—Publishing constitutional amendments	300 00
16, Assembly Bill No. 806—Publishing constitutional amendments	250 00
16, Assembly Bill No. 809—Publishing constitutional amendments	250 00
16, Assembly Bill No. 811—Publishing constitutional amendments	2,500 00
17, Assembly Bill No. 820—Publishing constitutional amendments	2,100 00
17, Assembly Bill No. 821—Publishing constitutional amendments	250 00
17, Assembly Bill No. 822—Publishing constitutional amendments	180 00
17, Assembly Bill No. 826—Publishing constitutional amendments	175 00
17, Assembly Bill No. 827—Publishing constitutional amendments	400 00
17, Assembly Bill No. 824—Publishing constitutional amendments	1,000 00
17, Assembly Bill No. 212—Claim of A. Zimmerman	5,000 00
17, Assembly Bill No. 227—Claim of Antone Corte	45,616 30
18, Senate Bill No. 282—For water system at Preston School of Industry	8,000 00
18, Senate Bill No. 6—Improvements and repairs, State Normal School, Los Angeles	30,000 00
18, Assembly Bill No. 876—Claim of E. C. Rust	476 00
18, Senate Bill No. 370—To create the office of Expert for the State of California	363 00
18, Assembly Bill No. 845—Publishing constitutional amendments	1,160 00
18, Assembly Bill No. 836—Publishing constitutional amendments	
18, Assembly Bill No. 874—To purchase safe for use of State Treasurer's office	

Feb. 18, Assembly Bill No. 838—Publishing constitutional amendments.....	\$250 00
18, Assembly Bill No. 840—Publishing constitutional amendments.....	308 00
18, Assembly Bill No. 843—Publishing constitutional amendments.....	150 00
18, Assembly Bill No. 844—Publishing constitutional amendments.....	185 00
18, Assembly Bill No. 846—Claim of J. E. Atkinson.....	15,000 00
18, Assembly Bill No. 522—Claim of Union Mill Company.....	808 00
18, Assembly Bill No. 848—Publishing constitutional amendments.....	378 00
18, Assembly Bill No. 849—Publishing constitutional amendments.....	1,631 70
18, Assembly Bill No. 850—Publishing constitutional amendments.....	2,100 00
18, Assembly Bill No. 566—For the acquisition of Colton Hall property.....	5,000 00
18, Assembly Bill No. 866—Publishing constitutional amendments.....	400 00
18, Assembly Bill No. 857—Publishing constitutional amendments.....	689 75
18, Assembly Bill No. 858—Publishing constitutional amendments.....	150 00
18, Assembly Bill No. 863—Publishing constitutional amendments.....	125 00
18, Assembly Bill No. 864—Publishing constitutional amendments.....	2,500 00
18, Assembly Bill No. 865—Publishing constitutional amendments.....	2,106 00
18, Assembly Bill No. 869—Publishing constitutional amendments.....	1,000 00
18, Assembly Bill No. 870—Relating to the counting of money in the State Treasury.....	13,000 00
18, Assembly Bill No. 871—For electric-light plant in Yosemite Valley.....	200 00
18, Assembly Bill No. 872—Publishing constitutional amendments.....	

Introduced by Committee on Ways and Means.

Feb. 9, Assembly Bill No. 695—Deficiency in the appropriation for repairs of the Capitol building and furniture for the fiftieth fiscal year.....	2,500 00
9, Assembly Bill No. 696—Deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.....	1,000 00
9, Assembly Bill No. 697—Deficiency in the appropriation for stationery, fuel, lights, and supplies for the fiftieth fiscal year.....	4,000 00
9, Assembly Bill No. 734—Deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year.....	200 00
9, Assembly Bill No. 755—Substitute for Assembly Bill No. 492.....	50,000 00
15, Assembly Bill No. 830—Claim of George H. Stewart.....	300 00

\$1,049,332 15

Bills Reported Favorably.

Feb. 16, Assembly Bill No. 10.....	\$25,000 00
15, Assembly Bill No. 455.....	1,000 00
17, Assembly Bill No. 9.....	
13, Assembly Bill No. 314.....	150 00
13, Assembly Bill No. 622.....	
13, Assembly Bill No. 651.....	
16, Assembly Bill No. 558.....	3,000 00
13, Assembly Bill No. 690.....	8,000 00
15, Assembly Bill No. 26.....	1,500 00
13, Assembly Bill No. 345.....	300 00
13, Assembly Bill No. 612.....	300 00
16, Assembly Bill No. 628.....	3,000 00
9, Assembly Bill No. 695.....	2,500 00
9, Assembly Bill No. 696.....	1,000 00
9, Assembly Bill No. 697.....	4,000 00
11, Assembly Bill No. 754.....	200 00
11, Assembly Bill No. 755.....	50,000 00
15, Assembly Bill No. 728.....	500,000 00
15, Assembly Bill No. 699.....	172 59
15, Assembly Bill No. 733.....	987 00
15, Assembly Bill No. 736.....	575 00
15, Assembly Bill No. 750.....	
16, Assembly Bill No. 542.....	25,000 00
16, Assembly Bill No. 756.....	1,370 70
16, Senate Bill No. 277.....	30,000 00
16, Assembly Bill No. 764.....	2,891 25
15, Assembly Bill No. 830.....	300 00
17, Assembly Bill No. 212.....	5,000 00
17, Senate Bill No. 7.....	45,616 30
15, Assembly Bill No. 131.....	100,000 00

\$811,862 84

Bills Reported Unfavorably.

Feb. 17, Assembly Bill No. 494.....	\$56 00
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Bills Reported Without Recommendation.

Feb. 16, Assembly Bill No. 674.....	\$13,000 00
13, Assembly Bill No. 199.....	50,000 00
	<hr/>
	\$63,000 00

Bills Withdrawn.

Feb. 13, Assembly Bill No. 175.....	-----
13, Assembly Bill No. 3.....	-----
15, Assembly Bill No. 369.....	\$1,000 00
15, Assembly Bill No. 59.....	25,000 00
	<hr/>
	\$26,000 00

Recapitulation.

Total appropriations referred to this committee to date.....	\$3,683,828 65
Total appropriations reported favorably.....	1,507,806 30
Total appropriations reported unfavorably.....	348,626 00
Total appropriations referred to other committees.....	408,845 00
Total appropriations reported without recommendation.....	115,500 00
Total appropriations reported with recommendation that they be withdrawn.....	496,542 05
Total appropriations remaining in the hands of this committee.....	806,509 30

Respectfully submitted.

VALENTINE, Chairman.

Mr. Dibble moved that the report of the Committee on Ways and Means be printed in the Journal.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Wade: Assembly Bill No. 939—An Act to pay the unpaid salary of the late Dennis Spencer, Attorney for the State Board of Health, and appropriating \$1,125 therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Johnson: Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dibble: Assembly Bill No. 941—An Act to amend Section 165 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Conrey: Assembly Bill No. 942—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known as and numbered 308, relating to the printing of legislative bills.

Read first time, and referred to Committee on Public Printing.

By Mr. Works (by request): Assembly Bill No. 943—An Act to establish a restaurant and barber shop, with baths attached thereto, in the basement of the State Capitol building at Sacramento, and appropriating the sum of \$5,000 therefor.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Valentine: Assembly Bill No. 944—An Act to amend Section 456 of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Committee on Ways and Means: Assembly Bill No. 945—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read first time, and placed on second-reading file.

By Mr. Mead: Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School at San Diego, for mileage, in attending the meetings of the Joint Board of Normal School Trustees, held at San José in June, 1897, at Los Angeles in April, 1898, and at Sacramento in September, 1898.

Read first time, and referred to Committee on Ways and Means.

RESOLUTION—(OUT OF ORDER).

By Mr. Le Baron:

WHEREAS, Your Committee on Dairies and Dairy Products, having had before it several bills, the authors of which requested a report; and

WHEREAS, Said committee having had no clerk, the committee appointed C. A. Le Baron to act as clerk, which he did from January 15 to February 1, 1899, the time when a clerk was assigned to said committee; therefore, be it

Resolved, That the Controller be directed to draw his warrant in favor of said C. A. Le Baron for \$72 for such services, it being for eighteen days, including the two dates, at a per diem of \$4

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Dibble moved that the report of the Committee on Rules and Regulations, as published in the Journal of Saturday, and providing for an urgency file, be adopted.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Passed on file.

Mr. Conrey moved that Assembly Bill No. 440 be placed on the unfinished business file for the consideration of pending amendments, and the bill for passage be retained on the third-reading file.

So ordered.

RECESS.

At ten o'clock and fifty-five minutes A. M., on motion of Mr. Dibble, the Assembly took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

At eleven o'clock and fifty-five minutes A. M., the Assembly reconvened. Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 229, 42, 157, 23, and Assembly Concurrent Resolution No. 13.

Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California

Assembly Bill No. 42—An Act to amend an Act entitled “An Act authorizing boards or commissions having the management and control of paid fire departments to grant the members thereof yearly vacations,” approved March 26, 1895.

Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Assembly Concurrent Resolution No. 13— Approving the charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, voted for and ratified by the qualified voters of said city at a special election held therein for that purpose on the twentieth day of September, 1898.

And were presented to the Governor February 20, 1899, at eleven o'clock and forty minutes A. M.

RICKARD, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Works: Assembly Bill No. 947—An Act to repeal the whole of Title XV of Part IV of Division III of the Civil Code of the State of California, embracing Sections 3086 to 3262 of said Code, both inclusive, relating to negotiable instruments, and enacting in place thereof a new title, to be known as Title XV of Part IV of Division III of the Civil Code of the State of California, with new provisions in relation to negotiable instruments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Chynoweth: Assembly Bill No. 948—An Act making an appropriation to pay the claim of L. F. Chapin, proprietor of the Santa Ana Standard, a newspaper printed and published in the City of Santa Ana, County of Orange, State of California, for advertising constitutional amendments prior to the general election of 1898.

Read first time, and referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Kenneally was granted leave of absence for the day, on motion of Mr. Devoto.

Mr. Wright was granted leave of absence for the day, on motion of Mr. Dibble.

Mr. Clough was granted leave of absence, on motion of Mr. McDonald of Tuolumne.

MOTION.

Mr. Caminetti moved that the introduction of bills be in order until the adjournment of to-day's session.

So ordered.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 20, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved

July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Dickinson, Doty, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Trout, and Wolfe—33.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—72.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, February 18, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, February 18, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.

For R. N. Bulla—Senator Gillette—1.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Thomas R. Baird—Senators Flint and Rowell—2.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, La Rue, Prisk, and Sims—8.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	32
W. H. L. Barnes received	4 votes.
R. N Bulla received	1 vote.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	8 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Knowland, Lardner, and Muentner—5.
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, Melick, Miller of Los Angeles, and Robinson—7.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—17.
For C. N. Felton—Mr. Brown—1.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.
For Irving M. Scott—Mr Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.
For John Rosenfeld—Mr. Crowley—1.
For James D. Phelan—Messrs. Burnett and Hoey—2.
For Thomas R. Bard—Mr Greenwell—1.

Whole number of votes cast by Assemblymen.....	70
W. H. L. Barnes received	5 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	7 votes.
D. M. Burns received	17 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	18 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	15 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	2 votes.
Thomas R. Bard received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	102
Necessary to a choice	52
W. H. L. Barnes received	9 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	8 votes.
D. M. Burns received	25 votes.
C. N. Felton received	1 vote.
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	3 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	23 votes.
James D. Phelan received	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

RESOLUTION.

Mr. Caminetti offered the following resolution:

WHEREAS, The present method of electing Senators of the United States has been and is productive of results inimical to the general welfare, and threatening the usefulness of a body representing the sovereignty of the several States of the Union; and

WHEREAS, The various States have repeatedly applied to Congress for the submission to the people thereof, in the manner prescribed by the Constitution of the United States, of an amendment to such Constitution providing that Senators of the United States shall be elected by popular vote; and

WHEREAS, The House of Representatives of the United States has at different times answered the popular demand for the passage of the necessary legislation; and

WHEREAS, The Senate of the United States has as often failed to concur therein; and

WHEREAS, The people of the State of California have at an election, by direct vote on the question, declared almost unanimously in favor of the election of such Senators by the people; therefore, be it

Resolved by this Joint Assembly, That a committee of three members of the Senate and three members of the Assembly be and is hereby appointed to prepare a memorial addressed to the Legislatures of the several States, requesting application by each thereof, in the manner prescribed by Article V of the Constitution of the United States, petitioning Congress to call a convention for proposing amendments to the National Constitution on this and such other subjects as the public welfare may demand; and be it further

Resolved, That such committee be instructed to provide in its report a method for the transmission of such memorial to the Legislatures of the several States; and be it further

Resolved, That such committee shall submit such memorial to this convention, and to the Senate and Assembly of the State of California, within five days after its appointment.

POINT OF ORDER.

Mr. Dibble raised the point of order that no business other than the election of a United States Senator is now in order.

The President pro tem. of the Senate decided the point of order well taken.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-eight minutes P. M., Assemblyman Dibble moved to adjourn until Tuesday, February 21, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, February 21, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Rickard, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

RESOLUTIONS.

By Mr. Caminetti:

ASSEMBLY JOINT RESOLUTION No. 23.

WHEREAS, The present method of electing Senators of the United States has been and is productive of results inimical to the general welfare, and threatening the usefulness of a body representing the sovereignty of the several States of the Union; and

WHEREAS, The various States have repeatedly applied to Congress for submission to the people of the several States in the manner prescribed by the Constitution of the United States of an amendment to such Constitution, providing that Senators of the United States shall be elected by popular vote; and

WHEREAS, The House of Representatives has, at different times, answered the popular demand for the passage of the necessary amendment; and

WHEREAS, The Senate of the United States has as often failed to concur therein; and

WHEREAS, The people of the State of California have at an election, by direct vote on the question, declared almost unanimously in favor of the election of such Senators by the people; therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee of three members of the Senate and three members of the Assembly be and is hereby appointed to prepare an application to the Congress of the United States under the provisions of Article V of the Constitution of the United States, petitioning Congress to call a convention for proposing amendments to the National Constitution, in this and such other respects as the general welfare may demand; and be it further

Resolved, That such committee be instructed to provide in its report a method for the transmission of such memorial to the Legislatures of the several States; and be it further

Resolved, That such committee shall submit such memorial to the Senate and Assembly of the State of California, within five days after its appointment.

Also:

ASSEMBLY JOINT RESOLUTION No. 24.

WHEREAS, The present method of electing Senators of the United States has been and is productive of results inimical to the general welfare, and threatening the usefulness of a body representing the sovereignty of the several States of the Union; and

WHEREAS, The various States have repeatedly applied to Congress for submission to the people of the several States in the manner prescribed by the Constitution of the United States of an amendment to such Constitution, providing that Senators of the United States shall be elected by popular vote; and

WHEREAS, The House of Representatives has, at different times, answered the popular demand for the passage of the necessary legislation; and

WHEREAS, The Senate of the United States has as often failed to concur therein; and

WHEREAS, The people of the State of California have at an election, by direct vote on the question, declared almost unanimously in favor of the election of such Senators by the people; therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee of three members of the Senate and three members of the Assembly be and is hereby appointed to prepare an application to the Congress of the United States, under the provisions of Article V of the Constitution of the United States, petitioning Congress to call a convention for proposing amendments to the National Constitution, in this and such other respects as the general welfare may demand; and be it further

Resolved, That such committee shall submit such application to the Senate and Assembly of the State of California within five days after its appointment.

Mr. Caminetti moved that the rules be suspended, and that Assembly Joint Resolutions Nos. 23 and 24 be made special order for Thursday morning after reading of the Journal.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco, to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Read third time

Mr. Meserve moved that a special committee of one be appointed for the purpose of amending Senate Bill No. 56 as follows:

Amend Section 1 by striking out in line 9 of the printed amended bill the words "San Bernardino."

Motion carried, and it was so ordered.

Mr. Meserve was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—with instructions to amend, now reports that the instructions of the Assembly have been carried out

MESERVE. Committee.

Senate Bill No. 56 ordered to print and third reading.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed temporarily on file.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Passed on file.

Senate Bill No. 49—An Act to amend Sections 1094, 1095, 1096, 1097, 1101, 1103, 1104, 1105, 1113, 1115, 1116, 1130, 1204, and 1261, and to repeal Sections 1098, 1099, 1100, and 1114 of the Political Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cobb, Conrey, Crowly, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, Wade, Works, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Senate Bill No. 59 (Substituted for Assembly Bill No. 124)—An Act to provide for the inspection of dairies, factories for dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cobb, Cowan, Crowder, Crowly, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Muenster, Pierce, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, and Mr. Speaker—52.

NOES—None

Title read and approved.

Senate Bill No. 211 (Substituted for Assembly Bill No. 240)—An Act making an appropriation to pay the claim of Thomas Hatch.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cobb, Cowan, Crowley, Devoto, Dunlap, Fairweather, Feliz, Greenwell, Henry, Hoey, Johnson, Kelley, Kelsey, Knowland, La Barea, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Muentner, Pierce, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—44

NOES—None

Title read and approved.

Senate Bill No. 421—An Act to amend Section 1195 of the Political Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Cobb, Cowan, Crowley, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and Wardell—47.

NOES—Messrs. Melick, Sanford, and Mr. Speaker—3.

Title read and approved.

Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled “An Act to provide for the organization, incorporation, and government of municipal corporations,” approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words “a Superintendent of Schools,” in line 10, page 1, printed bill.

Amendment adopted.

Senate Bill No. 96 ordered to print and third reading.

Senate Bill No. 118 (Substituted for Assembly Bill No. 476)—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Chynoweth, Crowley, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Rickard, Eugene Sullivan, Wade, Wardell, White, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 10 withdrawn by author.

Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into a

Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 7.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 7 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor—and do now report the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman

Report adopted.

Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the words "in full," in line 4, Section 1, printed bill, after the word "Mullan"

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "from and after its passage," in line 1, Section 2, page 1, printed bill, and inserting in lieu thereof the following: "on the first day of January, nineteen hundred."

Amendment adopted.

AMENDMENT No. 3

Amend by striking out all of Section 1 after the word "same," in line 10, Section 1, page 1, printed bill.

Amendment lost.

By Mr. Wardell:

Insert, in line 10, after the word "same," "*providing*, that all contracts alleged to exist between the State and said John Mullan are hereby abrogated."

Amendment adopted.

Senate Bill No. 7 ordered to print and third reading.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Read second time, and ordered to third reading.

RECONSIDERATION OF VOTE.

Mr. Brown moved to reconsider the vote whereby Assembly Bill No. 411 was refused final passage.

On the motion to reconsider, the roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Coper, Crowder, Crowley, De Lencie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milne, Miller of Los Angeles, Miller of San Francisco, Muentert, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office, and vault connected therewith, and making an appropriation therefor.

The question now being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Cosper, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson Johnson, Kelley, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Wade, Wardell, and Mr. Speaker—55

NOES—Mr. Lardner—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Hoey gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 411 was this day finally passed.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Crowley: Assembly Bill No. 949—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Kelsey: Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor.

Read first time, and referred to Committee on Public Buildings and Grounds.

By Mr. Cobb (by request): Assembly Bill No. 951—An Act to enable all counties, incorporated towns or cities, or consolidated counties and cities of the State, to use automatic voting or ballot machines at all elections therein.

Read first time, and referred to Committee on Election Laws.

By Mr. E. D. Sullivan (by request): Assembly Bill No. 952—An Act to provide for the appointment of a State Quarantine Officer, etc.

Read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Merritt: Assembly Bill No. 953—An Act making an appropriation to pay the claim of the Daily Independent, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

MOTION.

Mr. Dibble moved that a message be sent immediately to the Senate, requesting that Senate Bill No. 30 be returned to the Assembly for correction.

So ordered.

UNFINISHED BUSINESS FILE.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

Consideration of Governor's message relating to suits against the State.

Referred to Committee on Ways and Means.

Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof.

Mr. Meserve moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 53:

Amend Section 1 of an "Act to provide for the reorganization of municipal corporations, and for determining the population thereof," by adding to said section, after line 35, page 2, printed bill, the following:

Provided, that if such canvass of votes on reorganization shall occur within less than thirty-five days prior to the time of a general municipal election in cities of the class into which it has been so voted to reorganize, or within three months after such time, then the said legislative body shall immediately call a special election, to be held within at least six weeks after said canvass of votes, which election shall be in lieu of and be conducted, as far as may be, as by law prescribed for such general municipal elections, and with like effect."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Caminetti, Chynoweth, Cobb, Cosper, Crowder, Crowley, De Lencie, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Richard, Stewart, Eugene Sullivan, Wade, Wardell, White, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 53 ordered to reëngrossment and enrollment.

Consideration of Governor's veto of Assembly Bills Nos. 2 and 243.

Mr. Johnson moved that consideration of the Governor's veto message on Assembly Bill No. 2 be continued to one week from to-day, February 27, 1899.

So ordered.

Mr. Hoey moved that consideration of the Governor's veto message on Assembly Bill No. 243 be passed on file, to retain place on file.

So ordered.

Mr. Dibble moved that the report of the Committee on Contested Elections be now taken up, and its consideration continued and made special order for to-morrow, immediately after consideration of Senate special file.

Mr. Caminetti moved to amend and make the time four o'clock and thirty minutes P. M.

Amendment accepted, and the motion as amended carried, and it was so ordered.

Mr. Griffin moved that Assembly Bill No. 675 be recalled from the Committee on Agriculture and re-referred to Committee on Ways and Means.

So ordered.

Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

Passed on file.

Assembly Constitutional Amendment No. 15—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of California, relating to the free exercise and enjoyment of religious worship.

Withdrawn by author.

Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship.

Passed on file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Mr. Johnson moved that the Assembly do now consider Assembly Bill No. 439 (No. 12 on the file) and that Assembly Bill No. 12 be passed, and retain its place on file.

So ordered.

Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

Read third time.

The question being on the final passage of the bill.

Mr. Hoey moved to amend as follows:

Amend by striking out the title of Assembly Bill No. 439, and inserting in lieu thereof "An Act to promote the perjury of candidates"

Motion lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brooke, Burnett, Caminetti, Chynoweth, Cobb, Gosper, Cowan, Crowder, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, and Works—44

NOES—Messrs. Arnerich, Barry, Boynton, Brown, Conrey, Devoto, Feliz, Greenwell, Griffin, Henry, Hoey, La Bree, Lundquist, Marvin, McKeen, Merrill, Merritt, Meserve, Raw, Rickard, Eugene Sullivan, Wardell, and Mr. Speaker—23.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. White: Assembly Bill No. 954—An Act to amend Section 144 of the Code of Civil Procedure of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 955—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 956—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 957—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 958—An Act making an appropriation to pay the claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

By Mr. Raub: Assembly Bill No. 959—An Act to appropriate the sum of \$183 55, to pay the claim of Morris Brooke.

Read first time, and referred to Committee on Claims.

By Mr. Crowder: Assembly Bill No. 960—An Act regulating rates of passenger transportation within the State of California, and providing a penalty for the violation thereof.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 961—An Act to regulate the operation of sleeping cars within the State of California, and providing a penalty for the violation thereof.

Read first time, and referred to Committee on Corporations.

By Mr. Merrill: Assembly Bill No. 962—An Act requiring packers of canned goods to stamp in the tin of one end of each can containing any article of food the year that such contents were canned, and fixing a penalty for violation thereof.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Mead (by request): Assembly Bill No. 963—An Act to repeal an Act entitled "An Act to encourage and provide for a general vaccination in the State of California," approved February 20, 1889.

Read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Assembly Bill No. 964—An Act to provide for the redemption of lands sold for delinquent assessments for public work in municipalities, and to define the rights and duties of purchaser and delinquent property owners in such cases.

Read first time, and referred to Committee on Municipal Corporations.

Also (by request): Assembly Bill No. 965—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1892, by adding a new section thereto, to be numbered 3785½, relating to redemption of lands sold previous to the 28th day of March, 1895, for delinquent taxes to purchasers other than the State of California and municipalities.

Read first time, and referred to Committee on Judiciary.

By Mr. Dunlap: Assembly Bill No. 966—An Act to amend Section 502 of the Penal Code, etc.

Read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 967—An Act to prevent the sale of more than one line of merchandise under the roof known as "department stores," in any municipal corporation.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Glenn: Assembly Bill No. 968—An Act making appropriation

to pay the claim of the Williams Farmer, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

RECESS.

At four o'clock and thirty-two minutes P. M., on motion of Mr. Hoey, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Also: Assembly Bill No. 127 (engrossed)—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 98, 166, and 136.

Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883 relating to the manner of publishing such proposed amendments, and to include propositions.

Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor.

And are now in the hands of the committee for enrollment.

RICKARD, Chairman.

Assembly Bills Nos. 98, 166, and 136 ordered to enrollment.

ON ATTACHÉS AND EMPLOYÉS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That for and by reason of services rendered the Assembly by R. J. Kady as Rear Porter from January 2 to February 15, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said R. J. Kady for the sum of \$155, the same being for forty-five days' services at \$3 per day being the same rate paid all other Porters, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly.

Also:

WHEREAS, M. E. Horton acted as clerk of the Committee on Claims from January 7 until January 31, 1899 without receiving any compensation therefor;

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of said M. E. Horton for \$100 being twenty-five days' service at the regular per diem allowed committee clerks and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Also:

WHEREAS, Frank Storer acted as clerk of the Committee on Commerce and Navigation from January 7 until January 31, 1899, without receiving any compensation therefor;

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the said Frank Storer for twenty-five days' services at the regular per diem allowed committee clerks, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Also:

Resolved, That Jesse R. Dorsey be appointed Assistant Mail Carrier, at a salary of \$3 per day, and that he be paid out of the fund for the contingent expenses of the Assembly.

Also:

Resolved, That by and for reason of services rendered the Assembly by William C. Guirey and Ed J. Smith, as Assistant Clerks at the desk, from February 7, 1899, to February 17, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrants, one in favor of said William C. Guirey, and one in favor of said Ed J. Smith, each for the sum of \$50, same being at the rate per diem as is paid the Assistant Clerks at the desk, and the State Treasurer is hereby directed to pay said two warrants out of the appropriation for the contingent expenses of the Assembly.

Also:

WHEREAS, M. H. Dunn acted as clerk of the Committee on Military Affairs from January 7 until January 31, 1899 (both days inclusive), without receiving any compensation therefor;

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of said M. H. Dunn for the sum of \$100, and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Have had the same under consideration, and we find that the work was done as stated in above resolutions, that said work is reasonably worth the sum charged, but that the several persons named in the above resolutions were irregularly appointed, and we therefore respectfully report the same back without recommendation.

LUNDQUIST, Chairman.

Mr. Dibble moved that the report be printed in the Journal, and that it be made a special order of the day for to-morrow.

'So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Atherton: Assembly Bill No. 969—An Act to appropriate the sum of \$250 to pay the claim of M. C. Dufficy, for money due and owing the said M. C. Dufficy from the State of California, for printing constitutional amendments in the San Rafael Sun.

Read first time, and referred to Committee on Ways and Means.

By Mr. Dibble: Assembly Bill No. 970—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, etc

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 971—An Act making an appropriation to pay the claim of Le Franco-Californien, for advertising the constitutional amendments for the year 1894.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 972—An Act making an appropriation to pay the claim of Le Franco-Californien, for advertising constitutional amendments for the year 1898.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 973—An Act making an appropriation to pay the claim of La Voce del Popolo, for advertising the constitutional amendments for the year 1894.

Read first time, and referred to Committee on Ways and Means.

By Mr. Beecher (by request): Assembly Bill No. 974—An Act appropriating the sum of \$114 to pay the claim of the Fullerton Tribune, for money due and owing the said Fullerton Tribune from the State of California, for printing the constitutional amendments in the Fullerton Tribune.

Read first time, and referred to Committee on Ways and Means.

Also (by request): Assembly Bill No. 975—An Act to appropriate the sum of \$315, to pay the claim of the Santa Ana Standard, from the

State of California, for the printing of constitutional amendments in the Santa Ana Standard.

Read first time, and referred to Committee on Ways and Means.

By Mr. Glenn: Assembly Bill No. 976—An Act making an appropriation to pay the claim of the Colusa Sun Publishing Company, publishers of the Colusa Sun, for advertising constitutional amendments.

Read first time, and referred to Committee on Ways and Means.

By Mr. Burnett: Assembly Bill No. 977—An Act to appropriate moneys for the purpose of erecting a monument over the grave of the late Levi Rackliffe, Treasurer of State, in the State Burial Ground, who died during his term of office, April 21, 1898.

Read first time, and referred to Committee on Ways and Means.

Mr. Dibble moved that the Assembly do now take up and consider Senate messages.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: In compliance with the request of your honorable body, contained in an Assembly message, Senate Bill No. 30—An Act adding fifteen new sections to the Political Code, to be numbered consecutively 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections—is herewith returned.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. Dibble moved that Senate Bill No. 30 be sent to print, and placed at the head of Senate special file.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

F. J. BRANDON, Secretary of Senate

By F. L. THOMAS, Assistant Secretary

Assembly Bill No. 113 ordered to enrollment.

SECOND-READING FILE.

Assembly Bill No. 174—An Act for the relief of district agricultural associations, and appropriating money therefor

Mr. McDonald of Alameda moved that Assembly Bill No. 712 be substituted for Assembly Bill No. 174, and that Assembly Bill No. 174 be withdrawn.

So ordered.

Assembly Bill No. 712 (Substitute for Assembly Bill No. 18)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the

State of California approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Mr. Dunlap moved that Assembly Bill No. 102 be substituted for Assembly Bill No. 111.

So ordered.

Assembly Bill No. 102—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages.

Read second time.

Mr. Johnson moved to amend by adding thereto as follows:

"*Provided*, that this Act shall not apply to any transfer now in existence."

Amendment adopted.

Mr. Dunlap moved that Assembly Bill No. 102 be made a special order for next Thursday.

Motion lost.

Assembly Bill No. 102 ordered to print, engrossment, and third reading.

Assembly Bill No. 503 (Substitute for Assembly Bill No. 307)—An Act providing for the location of sites for reservoirs to store flood waters, near the sources and along the courses of rivers and streams in this State, to locate the sites of dams in connection with reservoirs, providing for estimates of the cost of constructing such dams and reservoirs, and appropriating money to carry out the provisions of this Act.

Withdrawn by author.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 67.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 67 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California—and do now report the same, with amendment, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of the Southern

Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Mr. Dibble moved to amend as follows:

Amend by striking out of Section 2, line 1, page 1, printed bill, the word "immediately," and inserting in lieu thereof the words "on the first day of January, nineteen hundred."

Amendment adopted.

Assembly Bill No. 67 ordered to print, engrossment, and third reading.

Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 342.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 342 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 342 ordered to engrossment and third reading.

Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children, and to prevent and punish wrongs of children," approved March 29, 1878.

Passed on file.

Assembly Bill No. 74—An Act creating a Live Stock Sanitary Commission for the State of California, to protect the health of domestic animals of the State from all infectious or contagious diseases.

Withdrawn by author.

Assembly Bill No. 638 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Passed on file.

Assembly Bill No. 297—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, and 1775 of the Political Code, relative to County Boards of Education.

Mr. Dibble moved that Assembly Bill No. 297 be stricken from the file.
So ordered.

Assembly Bill No. 298—An Act to amend Sections 1790 and 1791 of the Political Code, relative to City Boards of Examination.

Mr. Dibble moved that Assembly Bill No. 298 be stricken from the file.
So ordered.

Assembly Bill No. 639 (Substitute for Assembly Bill No. 295)—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1650, 1663, 1667, 1677, 1674, 1713, 1714, 1763, 1830, 1858, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 295—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1663, 1697, 1713, 1714, 1830, 1874, 1875, and 1882 of the Political Code of the State of California, and to add a new section to said Code, to be known as Section 1674, relating to public schools.

Mr. Dibble moved that Assembly Bill No. 295 be stricken from the file.

So ordered.

Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham and W. C. Rogers, for services as elevator attendants in the Capitol building.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 491.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 491 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

(GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 491—An Act making an appropriation to pay the claims of C. E. Cunningham

and W. C. Rogers, for services as elevator attendants in the Capitol building--and do now report, and recommend that the same do pass

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 491 ordered to engrossment and third reading.

Assembly Bill No. 123—An Act to prevent the maintenance against the State, or any officer thereof, by any county or county officer, of any action or proceeding for the collection or recovery of any money alleged to be due such county, or any officer thereof, for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes.

Withdrawn by author.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Read second time.

Mr. Raw moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 542.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 542 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act"—and do now report the same, with amendment, and recommend that the same do pass as amended

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

The following committee amendments were submitted:

AMENDMENT NO. 1.

Amend by striking out the words "He shall be empowered to advertise for bids to construct new bridges, culverts, to repair bridges and culverts, and let contracts for such work and materials as is necessary; he shall also have the power to accept or reject any and all bids," in lines 24, 25, 26, 27, and 28, second page, printed bill, and inserting in lieu thereof the following: "Before any of the moneys herein appropriated are expended on said Lake Tahoe wagon road, it shall be the duty of the State Highway

Commissioner (provided for in an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employes thereof, and to provide for the compensation of said officers and employes, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year, approved April 1, 1897), to make or cause to be made all necessary surveys, plans, and specifications for contemplated work, and upon their completion the Lake Tahoe Wagon Road Commissioner shall be empowered to advertise for bids for said work as covered by said surveys, plans, and specifications, and to let the contract for the same to the lowest responsible bidder; and he shall also have the power to reject any and all bids for said work; *and be it furthermore provided*, that before any payments are made for said work the work shall be inspected by the State Highway Commissioner, and by him certified to the State Board of Examiners as fulfilling the conditions of the contract, and all claims for said work shall be further audited and approved by the said State Board of Examiners, and such having been done, the State Controller shall draw his warrant or warrants for the same for the approved amount, and the State Treasurer shall pay the same; *provided*, that the expenditure of all moneys for the making of surveys, plans, and specifications shall be within the jurisdiction of the State Highway Commissioner, who shall employ all of the labor and assistance necessary for such purpose, but all claims for such service or material used shall be, before payment, approved by said State Highway Commissioner and audited by the State Board of Examiners "

Amendment lost.

AMENDMENT No. 2.

Amend by striking out the words "Sixty thousand (\$60,000) dollars, of which sum there is appropriated twenty thousand (\$20,000) dollars for salary of said commissioner, and the other expenditures and expenses, and the sum of forty thousand (\$40,000) dollars for the repairing of bridges and culverts, and building of new bridges and culverts, authorized or directed by the provisions of this Act, for the remainder of the fiftieth fiscal year, and for the fifty-first and fifty-second fiscal years," in lines 3 to 11, inclusive, second page, printed bill, and inserting in lieu thereof the following: "Twenty-five thousand (\$25,000) dollars to carry out the provisions of this Act, one half of said sum of twenty-five thousand dollars (or twelve thousand five hundred (12,500) dollars) shall be taken from the fifty-first fiscal year, and the remaining half from the fifty second fiscal year. Of said sum of twenty-five thousand dollars, twenty thousand (\$20,000) dollars is hereby set apart and made available for the repairing and improving of the Lake Tahoe wagon road, and the road structures thereon, and the building of any necessary new road structures thereon, and the remaining sum of five thousand (\$5000) dollars is hereby set apart and made available for the salary of the Lake Tahoe Wagon Road Commissioner, and his traveling expenses; and for the making of the surveys, plans and specifications by the State Highway Commissioner, as herein provided for, and for the other expenses incident thereto.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words "This Act shall take effect and be in force from and after its passage," in lines 1 and 2, Section 3, second page, printed bill, and inserting in lieu thereof the following: "All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed."

Amendment lost.

AMENDMENT No. 4.

Amend by adding a new section, to be known as Section 4, and reading as follows: "SEC. 4. This Act shall take effect and be in force from and after its passage."

Amendment adopted.

Assembly Bill No. 542 ordered to print, engrossment, and third reading.

Assembly Bill No. 963 withdrawn by author.

Assembly Bill No. 146—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands,' approved April 15, 1880," approved March 19, 1889.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 377—An Act to amend Section 632 of the Penal Code, relating to fish.

Read second time.

The following committee amendment was submitted:

Amend by striking out the word "March," in line 19 of printed bill, and inserting in lieu thereof the word "February."

Amendment adopted.

Assembly Bill No. 377 ordered to engrossment and third reading.

Assembly Bill No. 356—An Act for the protection and propagation of shrimps.

Passed on file.

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Passed on file.

Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for money due and owing to said Claus Spreckels from the State of California.

Read second time.

MOTION.

Mr. Burnett moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 594

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 594 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1890

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels for money due and owing to said Claus Spreckels from the State of California—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 594 ordered to engrossment and third reading.

Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols, for services rendered to the State of California.

Read second time.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California

Read second time.

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Read second time.

Assembly Bill No. 303—An Act making an appropriation to pay

mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens, from Los Angeles to the cities named, in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Read second time.

Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 415—An Act making an appropriation to pay the claim of Julius Herzog, for injuries sustained while in the service of the National Guard of California.

Read second time.

Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Read second time.

Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz, for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

Read second time.

MOTION.

Mr. McDonald of Alameda moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 481, 730, 252, 303, 405, 415, 428, and 65.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 481, 730, 252, 303, 405, 415, 428, and 65 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols, for services rendered to the State of California.

Also: Assembly Bill No. 730 (Substitute for Assembly Bill No. 593)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Also: Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Also: Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named, in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Also: Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 415—An Act making an appropriation to pay the claim of Julius Herzog, for injuries sustained while in the service of the National Guard of California.

Also: Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwundel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Also: Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz, for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

And do now report the same back, and recommend that the same do pass, except that Assembly Bills Nos. 481, 252, and 405 pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols, for services rendered to the State of California.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the word and figure "Section 1" in line 1, Section 1, page 1 of printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting the word and figure "Section 2" in line 8, Section 2, page 1 of printed bill.

Amendment adopted.

Assembly Bill No. 481 ordered to print, engrossment, and third reading.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Ordered to engrossment and third reading.

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

The following committee amendment was submitted:

Amend by adding a new section, to be numbered Section 2, as follows: "The Controller is hereby authorized to draw his warrant for \$2,000 in favor of Mrs. R. A. Strout, widow of the above named E. N. Strout, or her heirs or assigns, and the Treasurer is directed to pay the same," and renumbering Section 2 "Section 3."

Amendment adopted.

Assembly Bill No. 252 ordered to print, engrossment, and third reading.

Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Ordered to print, engrossment, and third reading.

Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend Section 1 of printed bill by striking out of line 1 the words and figures "ten thousand (\$10,000)" and inserting in lieu thereof the words and figures "twenty-five hundred (\$2,500)."

Amendment adopted.

Assembly Bill No. 405 ordered to print, engrossment, and third reading.

Assembly Bill No. 415—An Act making an appropriation to pay the claim of Julius Herzog, for injuries sustained in the service of the National Guard of California.

Ordered to engrossment and third reading.

Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Ordered to engrossment and third reading.

Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz, for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

Ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 117 and 286

Assembly Bill No. 117—An Act to amend Section 456 of the Civil Code

Assembly Bill No. 286—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Boards of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

And were presented to the Governor February 20, 1899, at nine o'clock P. M.

RICKARD, Chairman.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 598—An Act appropriating money to pay the claim of William Henry Murray, State Superintendent of Ramie Culture.

Mr. Miller of San Francisco moved that Assembly Bill No. 598 be not considered, and that Assembly Bill No. 831 be substituted in its place on file.

So ordered.

Mr. Dibble moved that Assembly Bill No. 598 be stricken from the file.

So ordered.

Assembly Bill No. 831 (Substitute for Assembly Bill No. 448)—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or powers of endurance, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein pool-selling or bookmaking is carried on, except when said pools are sold or said bookmaking is carried on within the race-track, enclosure, fair grounds, or buildings wherein such trial of contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, shall be had and occur and upon the days when such trials or contests actually occur or are had, and to provide a punishment for the violation of this Act.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½, respectively.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 468—An Act prohibiting officers and employes of State institutions visiting or being in Sacramento during the session of the Legislature, unless required by the Governor, by the Legislature, or either house thereof, or by a committee of the Legislature, and for the betterment of the public service.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 565—An Act to amend Sections 702 and 703 of an Act entitled "An Act to establish a Code of Civil Procedure," by which amendment the time of redemption of real estate from sale under execution is changed from twelve months to six months.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provision of this Act," approved March 31, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 692 (Substitute for Assembly Bill No. 330)—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the general permanent powers of Boards of Supervisors.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 330—An Act amending Sections 12 and 13 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the levy of taxes and the issuance of bonds by the Boards of Supervisors of counties.

Withdrawn by author.

Assembly Bill No. 331—An Act to amend Section 2653 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway taxes.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to the enrollment, formation into fire companies, and service as firemen of such veteran volunteer firemen.

Passed on file.

Assembly Bill No. 643—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 575—An Act to amend an Act entitled "An Act to provide for classification of municipal corporations," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 687—An Act to revise, amend, and reenact an Act entitled, "An Act to establish a Civil Code," approved March 21, 1872.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 130—An Act to amend Sections 650, 651, 653, 658, 659, 660, 661, 662, 939, 940, 950, 951, 953, and 963 of the Code of Civil Procedure, relating to appeals, and the practice thereto; and to repeal Section 952 thereof, relating to the same subject.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by adding the letter "s" to the word "document," in line 57, page 7, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word "relics" in line 11, page 6, printed bill, the following: "upon filing said prayer for appeal, bond, and assignment of errors, the party filing the same shall be entitled as of right to an order granting such appeal."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words "This Act shall take effect and be in force from and after its passage," on lines 1 and 2, page 8, printed bill, at bottom of said page 8.

Amendment adopted.

Assembly Bill No. 130 ordered to print, engrossment, and third reading.

Assembly Bill No. 133—An Act to amend Section 1918 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the legal rate of interest to be charged in the State of California, and providing a penalty for the charging of an illegal rate.

Passed on file.

Assembly Bill No. 269—An Act to amend Section 2 of an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895.

Passed on file.

Assembly Bill No. 372—An Act to amend an Act relating to commitment to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895.

Passed on file.

Assembly Bill No. 18—An Act regulating and encouraging mining in the State of California, and making a general State law not in conflict with the Federal mining laws.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 173—An Act to amend an Act entitled "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district

records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897.

Withdrawn by author.

INTRODUCTION OF BILLS, ETC.—(OUT OF ORDER).

By Mr. Beecher (by request): Assembly Bill No. 978—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 310³, relating to a penalty for smoking cigarettes in any building, wharf, or other structure belonging to any city, county, city and county, or municipality, or to the State of California.

Read first time, and referred to Committee on Public Morals.

By Mr. Belshaw: Assembly Bill No. 979—An Act to prohibit treating, and providing a penalty therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 980—An Act to amend Section 3930 of the Political Code, relating to the permanent boundary line between the counties of Amador and El Dorado.

Read first time, and referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 981—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 982—An Act to appropriate the sum of \$132 18 to pay the claim of C. A. Williams, for money due and owing the said C. A. Williams from the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 983—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun, for money due and owing the said Scott Calhoun from the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 984—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett, for money due and owing to the said M. G. Barrett from the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Burnett: Assembly Bill No. 985—An Act making an appropriation to pay the expenses of the Railroad Commissioners of California in conducting certain litigation.

Read first time, and referred to Committee on Corporations.

By Mr. Merritt: Assembly Bill No. 986—An Act to provide for the payment of the salary of the Secretary of the State Engineer for the fortieth, forty-first, and forty-second fiscal years.

Read first time, and referred to Committee on Ways and Means.

By Mr. White: Assembly Joint Resolution No. 25—Relative to the payment of volunteers enlisted in the Spanish-American War of 1898.

Read, and referred to Committee on Federal Relations.

ADJOURNMENT.

At nine o'clock and forty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, February 21, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 21, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kennelly, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—74.

LEAVE OF ABSENCE.

Mr. Huber was granted leave of absence for the day, on motion of Mr. Muentner.

Mr. Clough was granted leave of absence for the day, on motion of Mr. McDonald of Tuolumne.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Bliss.

The Journal of Saturday, February 18, 1899, was read and approved.

PETITION.

Presented by the Speaker: Relative to the excessive cost of litigation and judicial tribunals in the State of California—signed by 233 citizens and taxpayers of the commonwealth of California, and addressed to the Legislature.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums beg leave to report as follows:

Pursuant to the instructions of your honorable body, your committee visited the California Home for the Feeble-Minded, situated at Eldridge, in Sonoma County, on Saturday, February 19 1899, arriving there about 10.30 A. M. Immediately upon their arrival they began an inspection of the buildings and inmates, and devoted the entire afternoon to the same work. Every part of the buildings was visited and carefully examined. Cleanliness was a marked characteristic of everything, and the comfort and happiness of the inmates seemed to be the special care of the Superintendent and his wife. The committee were particularly struck with the home-like aspect of the dormitories and sleeping apartments, with the pictures that adorn the walls, the curtains, and the thousand and one little embellishments that tend to make the surroundings pleasant

and congenial to the children, who all expressed themselves enthusiastically in regard to both Doctor and Mrs. Osborne. The food was found to be ample in quantity and of good quality. The clothing of the children seemed to be comfortable and warm, and their general condition left nothing to be desired.

In the evening the committee were present at an entertainment, which would have done credit to any of our grammar schools, conducted entirely by the inmates of the institution. They subsequently visited the dormitories as the children were going to bed, and so had an opportunity to see them at all times and under all conditions. They visited the land which it is proposed to buy, and thoroughly inspected it; also, the watercourse and the plans for collecting an adequate water supply. In this connection the committee favors the purchase of the land asked for, as it contains a large quantity of valuable wood, some land that can be used for grazing purposes, land suitable for the establishment of a brickyard—which would be a saving of expense to the institution. Its purchase would also give the institution an ample water supply. The plan of Dr. Osborne to use his present garden as a lake or reservoir, however, your committee deems inadvisable, for the reason that it is the best land on the property for the cultivation of vegetables. They think it would be preferable to erect more tanks or reservoirs, similar to those now in use, and which would in no wise take away any valuable land. The cottages asked for should be granted, especially those for the lower grade of children, who are now confined at the top of the building. As most of these children are utterly helpless, in case of fire they would have to be carried out one by one, and it would seem to be the plain dictate of humanity to place them where they would be in no danger from fire, and where they would be enabled to enjoy the sunlight and out-of-door exercise. We also recommend the appropriation asked for for the completion of the main building. There are now in the institution nearly six hundred children, and applications are on file for over two hundred more. Those among our members who visited this institution two and four years ago were particularly impressed with the progress that has been made in that time. Your committee desires to say that it recognizes in the California Home for the Feeble-Minded one of the best institutions of this class in this or any other country, and an institution most creditable to the State and its management.

On Sunday, your committee proceeded to visit the Hospital for the Insane at Mendocino, near Ukiah. The unfortunate differences that exist between the Superintendent of this institution and the Board of Managers showed themselves on all sides. While the institution has a general cleanly appearance, there is an utter lack of cheerfulness about the wards, and no effort seems to be made on the part of the Medical Superintendent to give a home-like aspect to the corridors and wards. There are no curtains at any of the windows, no pictures on the walls, no plants, or flowers, or birds, and not even a rocking chair, or, indeed, a chair of any kind for the inmates to sit upon. There are a few benches, but these are not adequate either in number or size for seating all the patients. The beds we did not always find as cleanly as could be desired, and there was an utter lack, with a few exceptions, on the part of employes, of any particular interest in the institution or its inmates.

Among the attendants, male and female, none were uniformed; and in this connection we desire to call the attention of the State Commission in Lunacy to the importance of taking immediate steps to have attendants and employes of the several State hospitals uniformed at the very earliest date. For many reasons, which need not be enumerated in this report, we think the wearing of uniforms by the attendants and employes is of the greatest importance, and we urge the Commission to lose no time in carrying out this reform.

Members of the Board of Managers seem anxious to do all they possibly can for the institution; but their efforts are evidently not seconded by the Superintendent, and the result is most deplorable.

The plans for the new building were thoroughly examined and explained, and the Board of Managers seems to have acted with due prudence and discretion in the matter. They also deserve credit for having used their contingent fund so judiciously in giving to the hospital an adequate water supply. The attic on top of the main building is a matter that should receive immediate attention, as a fire is liable to break out there at any moment, with the possibility of terrible results. We therefore recommend an appropriation to furnish fire protection for this portion of the building.

All of which is very respectfully submitted

The foregoing report was unanimously adopted by the Committee on State Hospitals and Asylums, February 20, 1899

WADE, Chairman.

Report read, and ordered printed in the Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the Administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 194—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 86—An Act to appropriate \$17,500 for the furnishing of the Administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold-storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be referred to Committee on Ways and Means.

WADE, Chairman

Assembly Bills Nos. 87, 194, and 86 referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 892—An Act to provide for the appointment of an unsalaried commission to investigate and report upon methods for the preservation of the forests of the State—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 677—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, poultry, grain fruit, seeds, honey, or dairy produce—report the same back, with three amendments, and recommend its passage as amended.

Also: Assembly Constitutional Amendment No. 24—Relative to provision that lands, and improvements thereon, be exempt from taxation for State purposes—report the same back, and recommend that it be adopted.

Also: Assembly Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to Section 3 of Article IV of the Constitution of the State, relating to the election and term of office of members of the Assembly.

Also: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Report the same back without recommendation.

Also: Assembly Bill No. 746—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 738—An Act authorizing and directing refund to parties, their attorneys, their heirs and assigns, of unconsumed portions of money deposited as security for costs in actions and proceedings in District Courts and Superior Courts of this State, approved March, 5, 1870—report the same back, with amendment, and recommend its passage as amended.

Also: Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning buildings and other property not subject to arson, and specifying the penalty therefor—report the same back, and recommend its passage.

Also: Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners—report the same back, with one amendment, and recommend its adoption as amended.

Also: Assembly Bill No. 654—An Act to amend the Civil Code of the State of California by adding a new section, to be designated and numbered Section 1716—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 824—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also: Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893, for the payment of delinquent taxes for such years; providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption; authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales, providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities.

Also: Assembly Bill No. 925—An Act providing what imprint shall be placed on bills, placards, posters, pamphlets, and other printed matter having reference to an election, or to any candidate, and providing a punishment for a violation thereof.

Report the same back, and recommend that they do pass.

JOHNSON, Chairman

Assembly Bills Nos. 892, 677, 746, 738, 793, 654, 824, 217, and 925 ordered on second-reading file.

Assembly Constitutional Amendments Nos. 24, 20, and 18 ordered on special file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

KNOWLAND, Chairman.

Assembly Bill No. 554 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation beg leave to report that, in accordance with a resolution adopted by the Assembly on February 15, 1899, a sub-committee therefrom visited San Pedro, and that there is now due to each of the following named members the sums set opposite their several names for mileage:

Joseph R. Knowland	\$100 60
L. A. Devoto	100 60
F. B. Glenn	100 60
J. M. Miller	100 60
E. D. Sullivan	100 60
Total	\$503 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of Joseph R. Knowland for the sum of \$503, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

KNOWLAND, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your sub-committee of Committee on Commerce and Navigation, having visited San Pedro under authority granted by resolution of February 15, 1899, for the purpose of examining into matters contained in Assembly Bill No. 698—An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872 all relating to the establishing of a Board of State Harbor Commissioners for the Port of Wilmington and Bay of San Pedro—beg leave to report as follows: That there was found to exist a division of sentiment among the residents and property owners of San Pedro as to the advisability of placing the harbor under the control of a State board; that there appeared before your committee a delegation of citizens favoring the bill, and a delegation opposed to the same, and after a careful investigation, all points involved being considered, your committee respectfully report Assembly Bill No. 698 back, and recommend that it do not pass.

KNOWLAND, Chairman.

Assembly Bill No. 698 ordered on second-reading file.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 741—An Act to create the office of State Game Warden, to provide for his appointment and term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means.

Also: Assembly Bill No. 689—An Act to protect the pheasant, or bob white, and vesting powers in the Boards of Supervisors of the several counties to establish an open season, and providing for the punishment of any violations of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn.

Also: Assembly Bill No. 600—An Act to add a new section to the Penal Code, to be numbered —, relating to the preservation of game—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EUGENE SULLIVAN, Chairman.

Assembly Bill No. 741 referred to Committee on Ways and Means.

Assembly Bills Nos. 689 and 600 ordered on second-reading file.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 263—An Act authorizing the location and sale of mining claims upon public lands of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 355—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner," approved March 24, 1893, amended March 17, 1897, by amending Section 1 thereof, and adding a new section thereto, relating to the Débris Commissioner and his duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ROBINSON, Chairman.

Assembly Bills Nos. 263 and 355 ordered on second-reading file.

ON JUDICIARY—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: The undersigned, a member of the Judiciary Committee, unites with other members of the minority of said committee in their minority report on Assembly Bill No. 102 (filed February 9, 1899), and recommends that said bill do not pass.

CHYNOWETH.

SENATE MESSAGES.

The following messages from the Senate were received and read:

SENATE CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of the Senate.
By F. L. THOMAS, Assistant Secretary

Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Mr. Dibble moved that the Assembly concur in the following Senate amendments:

Strike out word "fourth" in line 3, Section 1, and insert in lieu thereof the word "third"

Amend by striking out of Section 1, line 3, the words "adult residents," and inserting the following: "resident electors."

Amend by adding in line 1, page 3, the words "Sec. 5."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Griffin, Jilson, Johnson, Kelsey, Kenneally, La Barea, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Robinson, Eugene Sullivan, Wade, Works, Wright, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 246 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 369—An Act to amend Section 1880 of the Political Code of the State of California, relating to the issue of bonds of school districts.

Also: Senate Bill No. 461—An Act authorizing the Governor and the Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

F. J. BRANDON, Secretary of the Senate
By F. L. THOMAS, Assistant Secretary

Senate Bill No. 369—An Act to amend Section 1880 of the Political Code of the State of California, relating to the issue of bonds of school districts.

Read first time, and referred to Committee on Education.

Senate Bill No. 461—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, February 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendment to Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—and have appointed Senators Taylor, Leavitt, and Prisk as a committee of conference to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of the Senate.
By F. L. THOMAS, Assistant Secretary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the prison at San Quentin, have visited the same, and the following named members of said committee are entitled to mileage: Messrs Bliss, Beecher, Fairweather, Sullivan, and Atherton, each 192 miles, or \$19 20; total, \$96.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. W. Atherton, chairman of said committee, for the sum of \$96, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same.

ATHERTON, Chairman.

Report and resolution adopted.

MOTION.

Mr. Caminetti moved that the further consideration of report of Committee on Attachés, set for this hour, be continued to four o'clock P. M. to-day.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, having sent a sub-committee of four to visit the State Normal School at San José, for the purpose of investigating the needs of this institution, submits its account of expenses, as follows:

G. W. Pierce.....	\$27 00
R. De Lancie.....	27 00
A. A. McKeen.....	27 00
A. S. Crowder.....	27 00
Total.....	\$108 00

And we ask the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A. S. Crowder, chairman, for the sum of \$108, as per above statement, said warrant to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

CROWDER, Chairman.

Report and resolution adopted.

RE-REFERENCE OF BILLS.

Mr. McDonald moved that Assembly Bills Nos. 875 and 898 be recalled from Committee on Claims and re-referred to Committee on Ways and Means.

So ordered.

Mr. Bliss moved that Assembly Bill No. 338 be re-referred to Committee on Ways and Means.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

Mr. Brown moved that the Assembly do now concur in the following Senate amendments:

Amend Section 2 by striking out subdivisions 1, 2, 3, 4, 5, 6, 7, and 8 of Section 2293, on lines from 5 to 19, both inclusive, on page 2 of the printed bill, and inserting in lieu thereof the following: "(1) To make rules and regulations not inconsistent with law for its government and for the government of the library. (2) To appoint a Librarian, who shall designate one of his deputies as chief deputy. (3) Whenever necessary, to authorize the Librarian to appoint an additional deputy. (4) To sell or exchange duplicate copies of books. (5) To keep in order and repair the books and property in the library. (6) To draw from the State Treasury, at any time, all moneys therein belonging to the Library Fund. (7) To report to the Governor biennially a statement of its transactions."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Jilson, Kelsey, Kenneally, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentzer, Pierce, Radcliff, Raub, Rickard, E. D. Sullivan, Wade, White, Wright, and Mr. Speaker—50

NOES—None

Assembly Bill No. 308 ordered to enrollment.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

Consideration of Governor's veto of Assembly Bill No. 243—An Act conferring power upon the governing body of municipal corporations of the first class to provide for the erection of a municipal hospital, and to levy a tax therefor.

The question being, "Shall the bill become a law notwithstanding the veto of the Governor?"

The roll was called, and the Governor's veto sustained by the following vote:

AYES—None

NOES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Crowder, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Jilson, Kelsey, Kenneally, Knowland, La Bree, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentzer, Pierce, Radcliff, Raw, Rickard, Sanford, E. D. Sullivan, Wade, White, and Mr. Speaker—48.

Amendments to Assembly Bill No. 440 passed on file, but to retain place on file.

MOTION.

Mr. Feliz moved that Senate Bill No. 369 be recalled from committee and placed on Senate special file, and Assembly Bill No. 507 be withdrawn.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 506 and 552.

Assembly Bill No 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of State hospitals for the insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

Assembly Bill No 552—An Act placing all companies selling certificates, bonds, or debentures, with coupons attached thereto, on the partial payment or installment plan, doing business in this State, under the supervision and control of the State Board of Bank Commissioners.

Also (reengrossed): Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Also: Assembly Bill No 602—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts.

RICKARD, Chairman.

Assembly Bills Nos. 506, 552, 349, and 602 ordered on third-reading file.

SPECIAL FILE.

Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship.

Passed on file.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Cobb, Cosper, Crowder, De Lancie, Devoto, Dibble, Dunlap, Johnson, Kelley, Kelsey, Kenneally, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Rickard, Eugene Sullivan, Wade, Works, Wright, and Mr. Speaker—41.

NOES—Messrs. Burnett, Chynoweth, Conrey, Cowan, Fairweather, Feliz, Glenn, Griffin, Mack, Mead, Meserve, Miller of Los Angeles, Stewart, E. D. Sullivan, and White—15

Title read and approved.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Cosper, Cowan, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Johnson, Kelley, Kelsey, Kenneally, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of

Tuolumne, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Works, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 10—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of lands from overflow other than lands recognized as swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow other than lands recognized as swamp lands,' approved April 15, 1880," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass; and further recommend that Assembly Bill No. 146 be withdrawn by its author, it being identical with Senate Bill No. 10.

DUNLAP, Chairman.

Senate Bill No. 10 ordered on Senate special file.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, authorized to visit San Francisco for the purpose of investigating the Sanitary Reduction Works and other matters pertaining to quarantine, submits its accounts for expenses as follows:

C. G. Cargill	\$18 00
C. B. Jilson	18 00
W. H. La Barce	18 00
G. D. Marvin	18 00
M. Brooke	18 00
A. H. Merrill	18 00
D. S. O'Brien	18 00
I. J. Hall, clerk	18 00
Total	\$144 00

We therefore recommend the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of C. G. Cargill, chairman of said committee, for the sum of \$144, as per above statement, said warrant to be drawn upon the Contingent Expense Fund of the Assembly; and the Treasurer is directed to pay the same.

CARGILL, Chairman.

Report and resolution adopted.

Mr. Cargill moved that the vote whereby the report of the Committee on Public Health and Quarantine was adopted be reconsidered.

So ordered.

Mr. Cargill moved that the report be referred to the Committee on Mileage.

So ordered.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That for and by reason of services rendered the Assembly by John Kofod, as a Porter and assistant to Sergeant-at-Arms, from January 2, 1899, to February 8, 1899, (both days included), the Controller of State is hereby directed to draw his warrant in favor of said John Kofod for the sum of \$114, for thirty-eight days at \$3 per day, the same being the rate paid to other Porters, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly—have had the same under consideration, and we do find that the work was done as stated; that said work is reasonably worth the sum charged, and we do therefore respectfully report the same back without recommendation.

LUNDQUIST, Chairman.

At eleven o'clock and ten minutes A. M., the Speaker called Mr. Wade to the chair.

Mr. Dibble moved that the resolution be laid over until four o'clock P. M.
So ordered.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 684—An Act to prevent the propagation of disease through contamination of atmosphere by gases or fumes arising from crematories for the disposition of garbage, ashes, offal, and other refuse matter, and to prescribe penalties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CARGILL, Chairman.

Assembly Bill No. 684 ordered on second-reading file.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Mr. Belshaw moved that Assembly Bill No. 647 be stricken from the file.

Mr. White moved to amend by placing the bill at the foot of the special file.

Amendment carried, and it was so ordered.

Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Dibble, Dunlap, Fairweather, Feliz, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—54.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessment in reclamation districts, and to provide for a hearing of the landowners before the Commissioner of Assessment, in relation to such assessment—and was presented to the Governor February 21, 1899, at eleven o'clock and fifteen minutes A. M.

RICKARD, Chairman.

ON WAYS AND MEANS—(OUT OF ORDER)

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.
CAMINETTI
GRIFFIN.
WARDWELL.
WORKS.
COBB.
ARNERICH
BELSHAW.
KELLEY.
PIERCE.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filter, and lay pipes in the Capitol grounds.

The question being upon the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowley, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Jilson, Johnson, Kelley, Kelsey, Kennecally, La Barea, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Mulice, Miller of Los Angeles, Muentner, O'Brien, Rickard, E. D. Sullivan, Wardell, Works, and Wright—42
NOES—Messrs. Chynoweth, Dale, De Lancia, Feliz, Knowland, Lardner, Meserve, Radcliff, Raw, Robinson, and Wade—11

Title read and approved.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was granted leave of absence to visit the Home for Care and Training of Feeble-Minded Children, at Gelston, Cal., and the Mendocino Asylum for Insane, near Ukiah, Cal., beg to report that we have visited the same, and that the following members are entitled to the sums set opposite their respective names, to wit:

Marvin	\$56 00
Lundquist	56 00
Meserve	56 00
Crowly	56 00
Merritt	56 00
Boynton	56 00
Mead	56 00
Cowan	56 00
Cargill	56 00
La Barea	56 00
Total	\$560 00

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and is hereby directed to draw his warrant in favor of Owen Wade, chairman, for the sum of \$560, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the State Treasurer is hereby directed to pay the same.

COWAN, Acting Chairman

Report and resolution adopted.

Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters or upon existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Read third time.

Mr. Cobb moved that Assembly Bill No. 559 be referred to a select committee of one, with instructions to amend as follows:

AMENDMENT No. 1.

Amend by striking out of Section 6, line 7, page 2, printed bill, the word "fifteen" and inserting in lieu thereof the words "twenty-five."

AMENDMENT No. 2.

Amend by striking out of Section 6, line 13, page 2, printed bill, the word "fifteenth" and inserting in lieu thereof the words "twenty-fifth"; also, amend by inserting in Section 6, line 13, page 2, printed bill, after the words "open for," the words "at last."

AMENDMENT No. 3.

Amend by striking out of Section 8, line 1, page 3, the word "great"; also, amend by striking out of Section 8, line 2, page 3, printed bill, the word "great."

AMENDMENT No. 4.

Amend by striking out of Section 8, line 6, page 3, printed bill, the words "a certified supplementary list" and inserting in lieu thereof the following: the "additional names."

AMENDMENT No. 5.

Amend by striking out of Section 8, lines 9 to 17, page 3, printed bill, the words "for which such certified supplementary list is prepared. Said supplementary list shall be certified for the use of and delivered to the Board of Election of each municipal election precinct by the County Clerk of the county, or city and county, in which such municipality exists, and in those counties, or cities and counties, where an officer other than the County Clerk is charged with the duty or clothed with the authority for the registration of voters, then by such officer."

AMENDMENT No. 6.

Amend by striking out of Section 8, line 19, page 3, printed bill, the words "other officer aforementioned" and inserting in lieu thereof the words "person clothed with the authority for the registration of voters."

AMENDMENT No. 7.

Amend by striking out of Section 8, lines 22 and 23, page 3, printed bill, the words "in addition to the supplementary list," and inserting in lieu thereof the words "and additional registration."

AMENDMENT No. 8.

Amend by striking out of Section 9, lines 4, 5, and 6, page 4, printed bill, the words "unless his name is enrolled upon the supplementary list herein provided for, nor."

Motion carried, and it was so ordered.

Mr. Cobb was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 559—An Act in relation to municipal elections where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect Boards of Freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COBB, Committee.

Report adopted.

Assembly Bill No. 559 ordered to print and reengrossment.

RESOLUTION—CASE OF URGENCY.

By Mr. Johnson:

Resolved, That Assembly Bill No. 940 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dis-

pensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution to suspend the provision of the Constitution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—63.

NOES—None.

Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Read second time.

Mr. Johnson moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Wade in the chair, for the purpose of considering Assembly Bill No. 940.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 940 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor—and do now report, and recommend that the same do pass.

WADE, Chairman.

Report adopted.

Assembly Bill No. 940 considered engrossed, and ordered to third reading.

Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, White, and Works—60.

NOES—None.

Title read and approved.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 21, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled 'An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873,' approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Gosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—77.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, February 20, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, February 20, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Prisk, and Sims—10.
For James D. Phelan—Senator Hall—1.
For William H. Alford—Senator Pace—1.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	4 votes
R. N. Bulla received	2 votes
D. M. Burns received	8 votes.
U. S. Grant, Jr. received	7 votes
Thomas R. Bard received	2 vote.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote
Stephen M. White received	10 votes.
James D. Phelan received	1 vote
William H. Alford received	1 vote

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Brown, Clough, Knights, Knowland, Lardner, and Muentner—8.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelley, Kelsey, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, Dale, De Lancie, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18
For Irving M. Scott—Mr. Dunlap—1.
For Stephen M. White—Messrs Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Mack, Mead, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.
For John Rosenfeld—Messrs. Brooke and Crowley—2.
For James D. Phelan—Messrs. Burnett and Hoey—2.
For Thomas R. Bard—Mr. Greenwell—1.
For Abbot Kinney—Mr. Meserve—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	8 votes.
M. M. Estee received	1 vote
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes
U. S. Grant, Jr. received	18 votes.
Irving M. Scott received	1 vote
Stephen M. White received	15 votes.
John Rosenfeld received	2 votes
James D. Phelan received	2 votes
Thomas R. Bard received	1 vote
Abbot Kinney received	1 vote

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	112
Necessary to a choice	57
W. H. L. Barnes received	12 votes.

M. M. Estee received.....	1 vote.
R. N. Bulla received.....	11 votes.
D. M. Burns received.....	25 votes.
U. S. Grant, Jr., received.....	25 votes.
Thomas R. Bard received.....	3 votes.
Irving M. Scott received.....	2 votes.
John Rosenfeld received.....	3 votes.
Stephen M. White received.....	25 votes.
James D. Phelan received.....	3 votes.
William H. Alford received.....	1 vote.
Abbot Kinney received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-four minutes P. M., Assemblyman Dibble moved to adjourn until Wednesday, February 22, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Wednesday, February 22, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 30—An Act concerning elections, and providing for the election of delegates to nominating conventions of political parties at elections known and designated as primary elections.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoev, Jilson, Johnson, Kelley, Knights, La Bree, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Meserve, Muenier, O'Brien, Raub, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Mr. Valentine moved that Assembly Bill No. 554 be re-referred to Committee on Commerce and Navigation.

So ordered.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and

County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read second time.

Mr. Caminetti moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 54.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 54 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—and do now report the same back with amendments, and recommend that the same do pass as amended

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and interest thereon, and to provide for the submission of this Act to a vote of the people.

AMENDMENT No. 9.

Mr. Caminetti moved to amend:

On line 14, page 2, printed bill, by inserting after the word "eight" the following: "including the construction and extension on such thoroughfare simultaneous with the construction and extension thereof under the provisions of this Act, of what is known as the 'Belt Line Railroad.'"

Amendment adopted.

AMENDMENT No. 10.

Mr. Caminetti moved to amend:

On line 44, page 4, by inserting after the word "thoroughfare" the following: "including the construction and extension on such thoroughfare simultaneous with the construction and extension thereof under the provisions of this Act, of what is known as the 'Belt Line Railroad.'"

Amendment adopted.

AMENDMENT No. 11.

Mr. Caminetti moved to amend:

By striking out the words "For the San Francisco Seawall and Thoroughfare Act," on line 7, page 7, printed bill, and inserting in lieu thereof the following: "For the San Francisco Seawall, Thoroughfare, and Belt Line Railroad Act."

Amendment adopted.

AMENDMENT No. 12.

Mr. Dibble moved to amend as follows:

Amend Section 4 by inserting after the word "bonds," in line 37, page 4, of last printed bill, the following. "*provided further*, that if at any time there be a surplus in the San Francisco Harbor Improvement Fund hereinafter referred to what can be applied to the construction of the said seawall and thoroughfare, such surplus shall be applied to the construction of said seawall, thoroughfare, and belt line railroad, and the issue of bonds shall be reduced to the extent of the surplus funds so applied."

Amendment adopted.

Senate Bill No. 54 ordered to print and third reading.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Mr. Johnson moved that Senate Bill No. 127 be referred to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause, and insert as follows:

"SECTION 1. All commissions or fees paid by the State to the officers of any county, or city and county, for services rendered in the assessment, equalization, auditing, and collection of ad valorem taxes are hereby abolished; *provided*, that this shall not affect the commissions paid to the Assessor of the several counties for services rendered in the collection of personal property taxes, as provided by Chapter VIII of the Political Code, or the mileage allowed to the Treasurer of the several counties, or cities and counties, in making settlements with the State, as provided by section thirty-eight hundred and seventy-six of the Political Code.

"SEC. 2. All Acts or parts of Acts in conflict with this Act are hereby repealed.

"SEC. 3. This Act shall take effect from and after the first Monday in May, eighteen hundred and ninety-three."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893—with instructions to amend same, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Senate Bill No. 127 ordered to print and third reading.

Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class.

Passed on file.

Senate Bill No. 7 (Substituted for Assembly Bill No. 10)—An Act for the relief of John Mullan, and to appropriate money therefor.

Passed on file.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling the equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Passed on file.

RESOLUTION—(OUT OF ORDER).

By Mr. E. D. Sullivan:

WHEREAS, Great hardship is being worked upon all the members of this House by bills being passed on file and retaining their specific places on said file; be it

Resolved, That any bill, whether on the regular or special files of the Assembly, which, when the same shall be reached in the regular course of proceedings and shall not be thereupon acted upon, shall be placed at the end of the particular file upon which the same may be, and no bill will hold its place upon said file without the unanimous consent of those present.

Referred to Committee on Rules and Regulations.

SPECIAL FILE.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same; for the transfer of prisoners thereto and government of the inmates thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Cargill, Cobb, Cosper, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merriitt, Meserve, Milice, Muentert, O'Brien, Raub, Rickard, Stewart, E. D. Sullivan, White, and Wright—46.

NOES—Messrs. Conrey, Cowan, Feliz, Miller of Los Angeles, Sanford, Wade, Works, and Mr. Speaker—8.

Title read and approved.

Mr. Johnson moved that the Senate be requested to return Assembly Bill No. 59 for correction.

So ordered.

Assembly Constitutional Amendment No. 13—Relative to amending Section 12 of Article XIII of the Constitution, relating to poll-tax.

Passed on file.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII of the Constitution.

Passed on file.

Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto, numbered 1166½, relating to the organization of committees to represent political parties at primary elections.

Read second time, ordered to engrossment and third reading.

THIRD-READING FILE.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act to prevent the sale of raw materials, and the manufacture in penal

institutions in the State of California of any article of commerce other than jute bags and broken stones, and materials for State and county roads only, and articles consumed in the State institutions.

Mr. Hoey moved that Assembly Bill No. 691 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out all of line 20 after the word "same" and inserting in lieu thereof the words "and all crushed rock furnished for city streets, lanes, alleys, and courts shall be sold on the prison grounds at forty cents per ton."

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Henry, Jilson, Johnson, Kelley, Knights, La Bree, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Munter, Raub, Rickard, Sanford, Stewart, E. D. Sullivan, Wardell, and Wright—47.

NOES—Messrs. Blood, Cargill, Feliz, Hoey, Kenneally, Knowland, Lardner, McKeen, Merrill, O'Brien, Radcliff, Wade, and Mr. Speaker—13.

Mr. Caminetti moved to amend the title to Assembly Bill No. 691 as follows:

Amend by adding to the title "and to provide for the sale thereof at actual cost of production"

Amendment adopted.

Assembly Bill No. 691 ordered to print, reengrossment, and third reading.

Assembly Bill No. 75—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in the penal institutions in the State of California, of any article of commerce, other than jute bags and broken stone and materials for country roads only, and articles consumed in the State penal institutions."

Withdrawn by author.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Passed on file.

Assembly Bill No. 376—An Act to provide for a free employment department to be maintained in connection with the Bureau of Labor Statistics.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Cospser, Crowley, Devoto, Dibble, Fairweather, Feliz, Griffin, Hanley, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Muentner, O'Brien, Raub, Rickard, Sanford, Stewart, E. D. Sullivan, Wardell, and Mr Speaker—42.

NOES—Messrs. Belshaw, Cargill, Conrey, Cowan, Dale, Dunlap, Glenn, Greenwell, Lardner, Melick, Meserve, Miller of Los Angeles, Radcliff, and Wade—14.

Title read and approved.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Mr. Brooke moved that Assembly Bill No. 651 be substituted on the file for Assembly Concurrent Resolution No. 9, and that Assembly Concurrent Resolution No. 9 take the place on the file now occupied by Assembly Bill No. 651.

So ordered.

Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State Volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor if successful.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Cospser, Cowan, Crowley, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr Speaker—57.

NOES—Messrs. Burnett, Chynoweth, Conrey, and Dale—4.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT AND ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 207—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Assembly Bill No. 163—An Act to amend Section 1033 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the filing and service and affidavit of bill of costs, and motion to retax same.

Assembly Bill No. 97—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of

sewers, within municipalities," approved March 18, 1888, by adding thereto a new section, to be known as Section 6½, relating to securing claims for labor done and material furnished for improvements under said Act.

And were presented to the Governor February 21, 1899, at three o'clock and ten minutes P. M.

RICKARD, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 416—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248 and 249, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary Committees thereof.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conroy, Cosper, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kenneally, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Wade, Wardell, White, Works, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 206—An Act to amend Sections 7 and 9 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conroy, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Kelley, Kenneally, Knowland, La Barge, Lundquist, Mack, Marvin, McDonald of Alameda, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Sanford, Stewart, Wardell, White, Works, and Wright—53.

NOES—Messrs. Cargill, Crowder, Johnson, Le Baron, Lardner, McKeen, Merrill, Meserve, Radcliff, E. D. Sullivan, Wade, and Mr. Speaker—12

Title read and approved.

Mr. Atherton moved that Senate messages be now considered.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, in compliance with a resolution contained in Assembly message requesting the return of Senate Bill No. 59—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor—said bill is herewith returned.

F. J. BRANDON, Secretary of Senate.

By F. W. MICHAELIS, Assistant Secretary.

Mr. Atherton moved that Senate Bill No. 59 be returned to printer to be correctly printed.

So ordered.

Mr. Raw moved that the order of the Assembly heretofore made ordering Assembly Bill No. 542 to printer, be reconsidered and rescinded.

So ordered.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Mr. Raw moved that the Assembly reconsider the vote whereby amendments Nos. 2 and 4 were adopted.

So ordered.

Amendments Nos. 2 and 4 were now considered and lost.

Mr. Raw moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 542.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 542 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act"—and do now report the same with amendments, and recommend that the same do pass as amended

ANDERSON, Chairman

Report adopted.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Mr. Raw moved to amend as follows:

Amend Section 2 of printed bill, line 3, by striking out the word "sixty," and inserting in lieu thereof the words "twenty-five"; also, amend line 4 by striking out the figures "\$60,000," in brackets, and inserting in lieu thereof the figures "\$25,000"; also, amend line 5 of Section 2 by striking out the word "twenty" and inserting in lieu thereof the word "ten"; also, on same line strike out the figures "\$20,000" and insert the figures "\$10,000"; also, amend line 7 of Section 2 by striking out the word "forty" and inserting the word "fifteen"; also, in same line, strike out the figures "\$40,000" and insert the figures "\$15,000" in lieu thereof.

Amendment adopted.

Assembly Bill No. 542 ordered to print, reengrossment, and third reading.

SPECIAL ORDER.

Report of Committee on Attachés and Employés.

Mr. Dibble demanded a division of the question.

The question being first on the following section of the report:

Resolved, That for and by reason of services rendered the Assembly by R. J. Kady, as Rear Porter, from January 2 to February 15, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said R. J. Kady for the sum of \$135, the same being for forty-five days' services at \$3 per day, being the same rate paid all other Porters, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Americh, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Cammett, (argill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder,

Crowly, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—66
NOES—None.

Mr. Dibble moved that the sections relating to committee clerks be considered together.

Mr. Arnerich moved to amend by including Lloyd Childs, as mentioned in the report of Committee on Attachés and Employés, as printed in the Journal of Friday, February 17, 1899.

Mr. Cowan demanded a division of the question, and it was so ordered.

Mr. Works moved that the report of Committee on Attachés and Employés be re-referred to the Committee on Attachés and Employés, with directions to make definite report, excepting only the resolution already acted upon.

Motion lost.

The question now recurred on the following resolution:

WHEREAS, M. E. Horton acted as clerk of the Committee on Claims from January 7 until January 31, 1899, without receiving any compensation therefor;

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of said M. E. Horton for \$100, being twenty-five days' service at the regular per diem allowed committee clerks, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Pending consideration, Mr. McDonald of Alameda moved that the whole matter be continued, and take its place on unfinished business file.

So ordered.

Mr. Dibble moved that the report of the Committee on Contested Elections, being a special order for this hour, be continued and made special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Works:

Resolved, That each member of the Assembly be permitted to call up one bill from the file as his name is reached on roll call, to be had for that purpose, whereupon such bill shall be placed upon the special urgency file, which shall be considered daily, except during the time devoted to the consideration of Senate Bills, until such file is disposed of; provided, that the bills on such file shall be taken up and considered in consecutive order from the beginning to the end of such file. The provisions of this resolution do not apply to night sessions

Referred to Committee on Rules and Regulations.

RECESS.

At five o'clock and eight minutes P. M., on motion of Mr. McDonald of Alameda, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

WAYS AND MEANS APPROPRIATION BILLS FILE.

Assembly Bill No. 127—An Act to provide for the purchase of

additional land for the Folsom State Prison, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Burnett, Cargill, Cosper, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Glenn, Hanley, Hoey, Jilson, Kelsey, Knights, Knowland, La Barea, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, Wade, and Mr. Speaker—46

NOES—None

Title read and approved.

Assembly Bill No. 664—An Act making an appropriation to pay deficiency for stationery, fuel, lights, and supplies for the Legislature and State offices for the forty-eighth fiscal year.

Read second time.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State offices for the forty-ninth fiscal year.

Read second time.

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year.

Read second time.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc., as allowed, approved, and recommended by the State Board of Examiners.

Read second time.

Assembly Bill No. 616—An Act to provide for the purchase of new carpets, draperies, and furniture for the Senate and Assembly chambers, and making an appropriation therefor.

Read second time.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Read second time.

Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Read second time.

Mr. Dibble moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 664, 665, 605, 606, and 616, Senate Bill No. 277, and Assembly Bill No. 755.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 664, 665, 605, 606, 616, Senate Bill No. 277, and Assembly Bill No. 755 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Also: Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Also: Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year.

Also: Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc., as allowed, approved, and recommended by the State Board of Examiners.

Also: Assembly Bill No. 616—An Act to provide for the purchase of new carpets, draperies, and furniture for the Senate and Assembly chambers, and making an appropriation therefor.

Also: Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Also: Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

And do now report and recommend that the same do pass, except that Assembly Bill No. 755 do pass as amended by the committee, and that Senate Bill No. 277 be passed on file as progressive, and that the committee sit again upon same, and that Assembly Bill No. 616 do not pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Ordered to engrossment and third reading.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Ordered to engrossment and third reading.

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Ordered to engrossment and third reading.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture, etc.

Ordered to engrossment and third reading.

Assembly Bill No. 616—An Act to provide for the purchase of new carpets, draperies, and furniture for the Senate and Assembly chambers, and making an appropriation therefor.

Mr. Valentine moved that the enacting clause be stricken from the bill.

Motion carried, and it was so ordered.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Ordered to third reading.

Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct

examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out all after the word "Act" in line 10, Section 1, of printed bill, down to and including the word "hereunder," in line 11, Section 1 thereof.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "fifty" in line 1, Section 5, and inserting in lieu thereof the word "thirty."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "twenty-five" in line 7, Section 5, and inserting in lieu thereof the word "fifteen."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the word "twenty-five" in line 8, Section 5, and inserting in lieu thereof the word "fifteen."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the word "immediately," last word of Section 7, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 755 ordered to print, reengrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Lundquist:

Resolved, That the State Controller be requested to inform the Assembly whether any part of the fund for armory rents, etc., was used in the payment of salaries for members of the Governor's staff, or for clerical service in the Adjutant-General's office.

Resolution adopted.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Brooke, Burnett, Caminetti, Cobb, Conrey, Cosper, Crowder, Crowly, Dale, De Lancie, Dibble, Fairweather, Felz, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—53

NOES—None.

Title read and approved.

Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs

and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

Read third time.

Mr. Fairweather moved that Assembly Bill No. 538 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out of Section 3, line 4, the word "said" and inserting the word "arid."

Also: Amend by striking out of Section 3, lines 9, 10, and 11, the words "*provided*, one of the first surveys for such reservoirs shall be on Kings River and its tributaries in Fresno County."

Also: Amend Section 6, line 4, after the word "appropriated," by inserting the following: "*provided*, three thousand dollars (\$3,000) shall be available on and after July first, eighteen hundred and ninety-nine, and seven thousand dollars (\$7,000) on and after January first, nineteen hundred."

Also: Amend by striking out Section 7.

Motion carried, and it was so ordered.

Mr. Fairweather was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

FAIRWEATHER, Committee.

Report adopted.

Assembly Bill No. 538 ordered to print, engrossment, and third reading.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Read third time.

Mr. Valentine moved to refer Assembly Bill No. 309 to a select committee of one, with instructions to amend as follows:

Amend by striking out all of Section 3 and inserting the following:
"Sec. 3. This Act shall take effect January first, nineteen hundred."

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee.

Report adopted.

Assembly Bill No. 309 ordered to print, engrossment, and third reading.

Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School buildings at San José, California.

Passed on file.

Assembly Bill No. 34—An Act for the relief of W. C. Guirey.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brooke, Burnett, Cargill, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Miller of Los Angeles, O'Brien, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brooke, Burnett, Cargill, Cobb, Conrey, Cosper, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Jilson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Muenster, O'Brien, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 211—An Act to pay the claim of Abraham W. Rapelye against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Cargill, Conrey, Cosper, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hoey, Jilson, Johnson, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Burnett, Cargill, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley,

Hoey, Jilson, Johnson, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Sanford, Stewart, Valentine, Wade, and Mr. Speaker—43.

NOES—E. D. Sullivan—1.

Title read and approved.

Assembly Bill No. 644 (Substitute for Assembly Bill No. 256)—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Conrey, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feluz, Glenn, Hoey, Jilson, Johnson, Kelsev, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, White, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Read third time.

Mr. Valentine moved that a select committee of one be appointed to amend Assembly Bill No. 509 as follows:

AMENDMENT No. 1.

In line 1 of the title, strike out the word "mansion," and insert in lieu thereof the word "residence."

AMENDMENT No. 2.

In lines 4 and 5 of the title, strike out the word "mansion," and insert in lieu thereof the word "residence."

AMENDMENT No. 3.

In Section 1, line 2, strike out the word "mansion," and insert in lieu thereof the word "residence."

AMENDMENT No. 4.

In Section 1, lines, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, strike out the words "An Act creating a Governor's Mansion Commission, and providing for the construction and furnishing of a mansion for the Governor of the State of California, and appropriating the sum of \$69,500 for the erection and furnishing of said mansion, for the payment of prizes for competitive plans, for supervision of the construction, for clerk hire, for the contingent expenses of said commission, and directing the State Controller to draw warrants from the fund so appropriated, and directing the State Treasurer to pay said warrants," and insert in lieu thereof: "An Act providing for the construction and furnishing of a resi-

dence for the Governor of the State of California, and appropriating the sum of \$50,000 for the erection and furnishing of said residence, and of all expenses connected therewith."

AMENDMENT No. 5.

In lines 13 and 14, Section 1, strike out the word "mansion," and insert in lieu thereof the word "residence."

AMENDMENT No. 6.

In line 19 strike out the word "mansion," and insert in lieu thereof the word "residence."

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants—with instructions to amend the same, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee.

Report adopted.

Assembly Bill No. 509 ordered to print and reëngrossment.

Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brooke, Burnett, Cobb, Conrey, Crowley, De Lancie, Dibble, Dunlap, Feliz, Griffin, Hoey, Jilson, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Merrill, Merriitt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, Valentine, Wardell, White, Wright, and Mr. Speaker—44

NOES—Messrs. Cargill, Dale, and E. D. Sullivan—3.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Mr. Arnerich moved to substitute Assembly Bill No. 736 for Assembly Bill No. 155.

So ordered.

Assembly Bill No. 155 withdrawn by author.

ADJOURNMENT.

At ten o'clock and seven minutes P. M., on motion of Mr. Kelsey, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, February 22, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 22, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

The roll was called, and the following answered to their names.

Messrs Arnerich, Atherton, Bliss, Blood, Boynton, Cobb, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Radcliff, Wade, and Mr. Speaker—33.

The roll call demonstrating no quorum, Mr. Dibble moved that the Assembly take a recess until ten o'clock and fifteen minutes A. M.

So ordered.

REASSEMBLED.

At ten o'clock and fifteen minutes A. M., the Assembly reconvened.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cospser, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wadell, White, Works, Wright, and Mr. Speaker—76.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

LEAVE OF ABSENCE.

Mr. Greenwell was granted leave of absence until noon, on motion of Mr. Merritt.

Mr. Brown was granted leave of absence for the day, on motion of Mr. Milce.

Mr. Clark was granted leave of absence until Friday, on motion of Mr. Arnerich.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Radcliff.

The Journal of Monday, February 20, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 246—An Act to provide for the organization of persons owning water which is received

and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman

Senate Bill No. 246 ordered on Senate special file.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 195—An Act to provide for the erection and equipment of a commissary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children by the erection of cottages for epileptic, paralytic, and feeble minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric lighting, steam heating and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended, and that they be referred to Committee on Ways and Means.

WADE, Chairman.

Assembly Bills Nos. 195, 191, and 192 referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899

MR. SPEAKER: Your Committee on Judiciary, having had under consideration the petition of Robert S. Kirk, S. T. Campbell, D. S. Mahon, John S. Worth and others, in reference to the condition of the farmers in the northern part of San Luis Obispo and the southern part of Monterey County—report the same back without any recommendation.

We have given the matter due examination, and, while we are convinced that the statements set forth in the petition are correct; that the sufferings of the people there have not been exaggerated, and that their needs are such as deserve, at our hands, assistance, and, at the hands of the State, aid—yet, under the provisions of the Constitution, which prevent special legislation, the Legislature is unable to afford them any legal relief at the present time. All we can say is that we feel assured that if their property is bought in by the State because of non-payment of taxes, succeeding Legislatures will look upon their case with leniency, and will remit all the interest, penalties, and costs, and permit them to redeem their land by simply paying the face of the taxes.

JOHNSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 757—An Act to add a new section to the Civil Code, to be known as Section 653½.

Also: Assembly Bill No. 758—An Act to amend Sections 649 and 650 of the Civil Code Report the same back, and recommend that they do pass.

Also: Senate Bill No. 5—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection and to direct the disposition of its proceeds,' approved March 23, 1893, approved March 9, 1897"—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 714—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication—report the same back, with an amendment, and recommend that it do pass as amended.

JOHNSON, Chairman.

Assembly Bills Nos. 757, 758, and 714 ordered on second-reading file.
Senate Bill No. 5 ordered on Senate special file.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER. Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 18—Relative to appreciation of public services of President McKinley.

Also: Senate Joint Resolution No. 11—Relative to money due and unpaid to the State of California from the National Government for fitting out volunteers.

Also: Assembly Joint Resolution No. 21—Relative to the restraint of traffic of convict-made goods to the States or Territories in which they are manufactured.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

DALE, Chairman.

Assembly Concurrent Resolution No. 18 and Assembly Joint Resolution No. 21 ordered on third-reading file.

Senate Joint Resolution No. 11 ordered on Senate special file.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 242—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Also: Assembly Bill No. 874—An Act making an appropriation to purchase a safe, or provide an inner vault in the vault of the State Treasury, to be used in counting money in the State Treasury.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 344—An Act to pay the claim of J. E. Atkinson against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Also: Assembly Bill No. 871—An Act to appropriate the sum of \$13,000 for the purpose of establishing an electric light and lighting plant in the Yosemite Valley—have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman.

Assembly Bills Nos. 242, 367, 874, 344, and 871 ordered on second-reading file.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 49—An Act to establish uniform rates to be charged by telephone companies in cities or cities and counties having over 50,000 inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 94—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Also: Assembly Bill No. 893—An Act to prohibit the forcing of air in and through mains and pipes for supplying illuminating gas, and providing a penalty therefor.

Also: Assembly Bill No. 632—An Act to amend Section 629 of the Civil Code, relating to gas corporations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 599—An Act defining and regulating the appointment of local fire insurance agents, compelling them to obtain certificates from the Insurance Commissioner, designating their powers and duties, and prescribing penalties against persons violating its provisions, and against any such agent allowing or offering to allow rebates of the premiums specified therein.

Also: Assembly Bill No. 894—An Act to regulate the use of meters used for the purpose of measuring water, by persons or corporations distributing the same for sale.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 899—An Act to enable steam railroad companies to complete their railroads and authorizing the construction of railroads—have had the same under consideration, and respectfully report the same back without recommendation.

RAUB, Chairman.

Assembly Bills Nos. 49, 893, 632, 599, 894, and 899 ordered on second-reading file.

Senate Bill No. 94 ordered on Senate special file.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 887—An Act relating to estrays and trespassing animals, and repealing all other Acts and parts of Acts now in force relating to estrays.

Also: Assembly Bill No. 888—An Act relating to the protection of highways, and repealing all other Acts and parts of Acts inconsistent with or in conflict with this Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on County and Township Governments.

MELICK, Chairman.

Assembly Bill No. 847 ordered on second-reading file.

Assembly Bills Nos. 887 and 888 referred to Committee on County and Township Governments.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 852—An Act to establish a uniform standard of weights and measures, to divide the State into districts; appoint inspectors, define their duties; fix the rate of charges, and also the penalties for violation of this Act—have had the same under consideration, and respectfully report the same back, and the majority recommend that it do not pass; the minority recommend that it do pass.

HUBER, Chairman.

Assembly Bill No. 852 ordered on second-reading file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School of San Diego, California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means, with recommendation that it do pass as amended.

Also: Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes, and additional classrooms at the State Normal School at San José, and to provide for furnishing, equipment, and heating and ventilation apparatus therefor, and making appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means, with recommendation that it do pass.

Also: Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means, with recommendation that it do pass as amended.

CROWDER, Chairman.

Assembly Bills Nos. 253, 424, and 63 referred to Committee on Ways and Means.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day denied Assembly Bill No. 85—An Act to prevent the blacklisting of employes—a second reading.

Also: Passed Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Also: Adopted Assembly Joint Resolution No. 10—Relative to setting over and establishing granite posts to mark a true boundary line between the States of California and Nevada.

Also: Refused adoption to Assembly Joint Resolution No. 13—Relative to creating rank of Admiral, and conferring same on Rear Admiral George Dewey.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 940 ordered to enrollment.

Assembly Joint Resolution No. 10 ordered to engrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 326—An Act to amend the title to an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled 'An Act to appropriate money to reimburse the University of California for money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893; to amend Section 4 of the same Act, and to appropriate the sum of \$16,747 50, now in the University Fund and unavailable.

Also: Senate Bill No. 446—An Act to provide a system of drainage for agricultural swamp and overflowed lands.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary

Senate Bill No. 326—An Act to amend the title to an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled 'An Act to appropriate money to reimburse the University of California for money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes,' and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893, to amend Section 4 of the same Act, and to appropriate the sum of \$16,747 50, now in the University Fund and unavailable.

Read first time, and (being identical with Assembly Bill No. 340) ordered on Senate special file.

Senate Bill No. 446—An Act to provide a system of drainage for agricultural swamp and overflowed lands.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 49—An Act to amend Sections 1083, 1094, 1095, 1096, 1097, 1101, 1103, 1105, 1113, 1115, 1116, 1130, 1204, and 1261 and to repeal Sections 1093, 1099, 1100, and 1114 of the Political Code.

Also: Concurred in Assembly amendment to Senate Bill No. 118—An Act to pay the claim of Lawrence Dunnigan against the State of California, and making an appropriation therefor.

Also: Amended, and passed as amended, Assembly Bill No. 177—An Act authorizing and directing District Attorneys to bring suits to abate public nuisances.

Also: Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

And respectfully ask the concurrence of your honorable body in said amendments

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

MOTIONS.

Mr. Dibble moved that Assembly Bills Nos. 132 and 177 be laid over as unfinished business until to-morrow, in absence of author.

So ordered.

Mr. Eugene Sullivan moved that Assembly Bill No. 851 be recalled

from Committee on County and Township Governments and referred to Committee on Municipal Corporations.

So ordered.

Mr. White moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to amend Section 11 of an Act entitled 'An Act creating a Board of Bank Commissioners, and prescribing their duties and powers,' approved March 30, 1878, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners."

Referred to Committee on Introduction of Bills.

Mr. Caminetti moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to authorize and permit the use of the Great Seal of the State of California, and such other appropriate designs pertaining to said State, by the order of the Native Sons of the Golden West, a patriotic order created and existing under the laws of the State of California, in the making of medals, to be presented by and under the auspices of said order to the officers and members of the United States volunteer troops from California who have been in active service in the late war with Spain."

Referred to Committee on Introduction of Bills.

Mr. Griffin moved that permission be granted by the Assembly to introduce the accompanying bills, the titles of which read as follows:

"An Act to repeal Section 3825 of the Political Code of California, relating to the collection of any deficiency arising in the collection of taxes on personal property unsecured by real estate."

"An Act to repeal Section 3824 of the Political Code of California, relative to repayment of excess collection of taxes on personal property unsecured by real estate."

"An Act to repeal Section 3828 of the Political Code of California, relating to duties of Auditors to enter and note the amount of excess or deficiency in the collection of taxes on personal property unsecured by real estate."

"An Act to amend Section 3746 of the Political Code of the State of California, relating to the publication of notice by Tax Collectors, specifying the time when taxes will become due and payable, and when delinquent."

"An Act to amend Section 3756 of the Political Code of the State of California, relating to delinquent taxes."

Referred to Committee on Introduction of Bills.

Mr. Cowan moved that Assembly Bill No. 527 be recalled from the Committee on County and Township Governments, and referred to Committee on Judiciary.

Mr. Belshaw moved that Mr. Johnson be invited to address the Legislature in the Assembly Chamber at eight o'clock p. m., in honor of Washington's Birthday.

Mr. Atherton moved to amend by including Mr. Caminetti as one invited to address.

Mr. Belshaw accepted the amendment, and the motion as amended carried.

Mr. Kenneally moved that the Senate be invited to participate with the Assembly in the exercises this evening.

So ordered.

RESOLUTIONS.

By Mr. Burnett: Assembly Joint Resolution No. 26—Relative to a Pacific cable.

Read, and referred to Committee on Federal Relations.

By Mr. Mead:

WHEREAS, Various members of this Assembly have, without authority of this body, authorized many persons to go to work and take their chances on getting paid; and

WHEREAS, This manner of appointment, and the passage of resolutions paying for such unauthorized services, leads to great extravagance, and subjects the Assembly to well-founded criticism; therefore, be it

Resolved, That this Assembly repudiates all such appointments, and hereby notifies all such persons now employed that no payment for services rendered this Assembly will be made after this date, except to attachés appointed according to law.

Mr. Lundquist moved that it be referred to Committee on Attachés and Employés.

Motion lost.

Resolution adopted.

By Mr. Miller of San Francisco:

Resolved, That Assemblymen M. E. Arnerich, G. R. Stewart, W. E. White (vice Wright), J. S. Wardell (vice Atherton), L. Hoey (vice Marvin), C. F. Kenneally (vice Crowley), H. W. Miller, chairman, and J. L. Maude, clerk, representing the Committee on Public Morals, be each allowed the sum of \$19 80 for mileage to San Francisco and adjacent places, pursuant to a resolution of the Assembly, and that the Controller be directed to draw his warrants in said sum, in favor of said persons, payable out of the appropriation for the contingent expenses of the Assembly, and that the Treasurer be directed to pay the same.

Resolution adopted.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

Amendments to Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operation of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Mr. Conrey was granted unanimous consent to withdraw his pending amendments.

Mr. Miller of Los Angeles moved to refer Assembly Bill No. 440 to a select committee of one, with instructions to amend as follows:

Amend the title by striking out the words "and by the municipal authorities of cities and towns," in lines 3 and 4, page 1, printed bill.

Also: Amend by striking out all of the title after the word "sale," in line 7, page 1, printed bill, and inserting in lieu thereof the following: "excepting from the operation of this Act any territory and property under the jurisdiction and control of any incorporated city or town, or any Board of State Harbor Commissioners."

Also: Amend by striking out all of that part of Section 1 of the amended printed

bill from the beginning of line 4, page 1, printed amended bill, to the end of line 31, on page 2 thereof, and inserting in lieu thereof the following: "Section 2921. Boards of Supervisors of counties of this State may grant to any railroad corporation authority to construct a wharf or pier on any land bordering on any navigable bay, inlet, lake, creek, slough, or arm of the sea situate in or bounding their counties, respectively, with a license to take tolls for the use of the same for the term of the corporate existence of said railroad corporation whenever such board finds the use of said wharf or pier necessary to the exercise of the franchise of such railroad corporation for terminal purposes; and the same may be granted without offering the same for sale. Nothing contained in the foregoing chapter, or in this Act, shall be construed to limit the powers of such boards to grant the right to such railroad corporations to build and construct for terminal purposes any wharf or pier of the width necessary for the carrying on of the business of such railroad, at such terminal, not to exceed one thousand feet, and to the length that it may be desirable to construct the same, so that it may not prevent the navigation by boats and vessels of such navigable bay, inlet, lake, creek, slough, or arm of the sea; *provided*, that there shall be excluded from the operation of this Act any and all territory and property under the jurisdiction or control of any incorporated city or town, or any Board of State Harbor Commissioners. All of the provisions of this chapter not in conflict with anything in this section contained are hereby made applicable to all proceedings had under this section."

Motion carried, and it was so ordered.

Mr. Miller of Los Angeles was appointed such select committee

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operation of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

J. M. MILLER, Committee.

Report adopted.

Assembly Bill No. 440 ordered to print and reengrossment.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof—has been correctly engrossed, and is now in the hands of the committee for enrollment

RICKARD, Chairman

Assembly Bill No. 53 ordered to enrollment.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

WHEREAS, M. E. Horton acted as clerk of the Committee on Claims from January 7 until January 31, 1899, without receiving any compensation therefor;

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of said M. E. Horton for \$100, being twenty-five days' service at the regular per diem allowed committee clerks, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Under division of the subject, the question now recurred upon the above resolution.

Mr. Caminetti moved that the consideration of the subject be made a special order for four o'clock and thirty minutes P. M. of this day.

Mr. Melick moved that Mr. Caminetti's motion be laid on the table. So ordered.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Devoto, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—61.

NOES—Messrs. Dale, De Lancia, Lardner, and Robinson—4

The further consideration of the report of the Committee on Attachés and Employés was ordered on unfinished business file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 98—An Act to amend Section 1185 of the Code of Civil Procedure, relating to mechanics' and other liens upon real property.

Also: Assembly Bill No. 166—An Act to amend Section 1 of an Act entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval," approved March 7, 1883, relating to the manner of publishing such proposed amendments, and to include propositions.

Also: Assembly Bill No. 136—An Act providing for the erection of a mansion for the Governor of the State of California, and appropriating the necessary money therefor.

And were presented to the Governor on February 22, 1899, at eleven o'clock and twenty minutes A. M.

RICKARD, Chairman.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 22, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Mehek, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—78

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, February 21, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, February 21, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For *W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
 For *R. N. Bulla*—Senators Gillette and Taylor—2.
 For *D. M. Burns*—Senators Beltman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8
 For *U. S. Grant, Jr.*—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
 For *Thomas R. Bard*—Senators Flint and Rowell—2.
 For *Irving M. Scott*—Senator Davis—1.
 For *John Rosenfeld*—Senator Feeney—1.
 For *Stephen M. White*—Senators Chapman, Curtin, and Prisk—3.
 For *J. J. Burnett*—Senators Ashe, Brauhart, Dwyer, and La Rue—4
 For *James D. Phelan*—Senator Hall—1.
 For *William H. Alford*—Senator Pace—1.

Whole number of votes cast by Senators.....	34
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	3 votes.
J. J. Burnett received	4 votes.
James D. Phelan received	1 vote.
William H. Alford received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muenther—7.

For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Miller of Los Angeles, Robinson, and Valentine—8.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, Dale, De Lanceie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Mr. Dunlap—1.

For Stephen M. White—Messrs. Cowan, Hanley, and Mack—3.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For John Rosenfeld—Mr. Crowley—1.

For J. J. Burnett—Messrs. Brooke Caminetti, Fairweather, Feliz, Glenn, Griffin, Mead, Meserve, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.

For Thomas R. Bard—Mr. Greenwell—1.

Whole number of votes cast by Assemblymen.....	74
W. H. L. Barnes received.....	7 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	8 votes.
D. M. Burns received.....	18 votes.
U. S. Grant, Jr. received.....	19 votes.
Irving M. Scott received.....	1 vote.
Stephen M. White received.....	3 votes.
James D. Phelan received.....	2 votes.
John Rosenfeld received.....	1 vote.
J. J. Burnett received.....	13 votes.
Thomas R. Bard received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	108
Necessary to a choice.....	55
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	10 votes.
D. M. Burns received.....	26 votes.
U. S. Grant, Jr. received.....	26 votes.
Thomas R. Bard received.....	3 votes.
Irving M. Scott received.....	2 votes.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	6 votes.
J. J. Burnett received.....	17 votes.
James D. Phelan received.....	3 votes.
William H. Alford received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty-seven minutes P. M., Assemblyman Wright moved to adjourn until Thursday at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, February 23, 1899.

IN ASSEMBLY.

MOTION—RECESS.

Mr. Belshaw moved that Senator Shortridge be invited to address the Assembly this evening conjointly with Messrs. Johnson and Caminetti Motion carried.

At twelve o'clock and twenty-eight minutes P. M., on motion of Mr. Wright, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and prescribing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KELLEY, Chairman
GRIFFIN
BEECHER.
COBB.
MEAD.
JOHNSON.

Mr. Valentine moved that Assembly Bill No. 914 be taken up out of order at this time and considered.

So ordered.

Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and describing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "all," in line 12, Section 1, printed bill, insert the word "State"

Amendment adopted.

AMENDMENT No. 2

After the word "Examiners," in line 19, page 2, printed bill, change the semicolon to a period, and strike out all the balance of subdivision 3.

Amendment adopted.

AMENDMENT No. 3

Amend by adding the following as subdivision 7 of Section 1:

"Subdivision 7. The Board of Examiners may at any time order the Controller to transfer money from the sum allowed to any officer, board, or other body mentioned in subdivision one of this section, for printing and other work at the State Printing Office, to the credit of any other such officer, board, or other body that may need the same, and whose allowance for that purpose has been exhausted"

Amendment adopted.

Assembly Bill No. 914 ordered to print, engrossment, and third reading.

RESOLUTION.

By Mr. Valentine:

Resolved, That the State Printer be and he is hereby instructed to reprint Assembly Bill No. 914 out of order, and return same, so reprinted, to the Committee on Engrossment and Enrollment as soon as possible; and that said committee report said bill to the House as soon thereafter as possible.

Resolution adopted.

Mr. Caminetti moved to reconsider the vote whereby Senate Bill No. 54 was ordered to print and engrossment.

Motion carried, and it was so ordered.

Mr. Caminetti moved to reconsider the vote whereby Amendment No. 11 to Senate Bill No. 54 was on yesterday adopted.

Motion carried, and it was so ordered.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Mr. Caminetti offered the following as a substitute for Amendment No. 11, and moved its adoption:

Amend by striking out the words "The ballots used at said election shall contain the words 'For the San Francisco Seawall and Thoroughfare Act,' and the words 'Against the San Francisco Seawall and Thoroughfare Act,'" occurring in lines 6, 7, 8, and 9, Section 10, page 8, printed bill, and inserting the following in lieu thereof: "The ballots used at said election shall contain the words 'For the San Francisco Seawall and Thoroughfare and Belt Line Railroad Act,' and the words 'Against the San Francisco Seawall and Thoroughfare and Belt Line Railroad Act'"

Amendment adopted.

Senate Bill No. 54 ordered to print and third reading.

Mr. Valentine moved that Senate Bill No. 461 be placed on the Senate special file, and that Assembly Bill No. 674 be withdrawn, it being an identical bill.

So ordered.

Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Mr. Belshaw moved to refer Senate Bill No. 56 to a select committee of one, with instructions to amend as follows:

Amend Section 1 by striking out the words "Contra Costa" in line 10, and inserting in line 4, after the words "San Francisco," the words "Contra Costa."

Motion carried, and it was so ordered.

Mr. Belshaw was appointed as such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BELSHAW, Committee.

Report adopted.

Mr. Dibble moved to reconsider the vote whereby Mr. Belshaw's select committee report was adopted.

The ayes and noes were demanded by Messrs. Dibble, Hanley, and Mead.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Cobb, Cosper, Crowley, De Lancia, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoey, Jilson, Knights, Knowland, La Baree, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raw, Rickard, Stewart, Eugene Sullivan, F. D. Sullivan, Wade, Wardell, Wright, and Mr. Speaker—41

NOES—Messrs. Atherton, Belshaw, Burnett, Caminetti, Cargill, Clough, Conrey, Crowder, Dale, Dunlap, Glenn, Griffin, Johnson, Kelsey, Le Baron, McDonald of Alameda, Mead, Melick, Merritt, Milice, Pierce, and Robinson—22.

Mr. Belshaw was granted unanimous consent to withdraw his amendment.

The previous question was demanded by Messrs. Dibble, Wright, and Dunlap.

The question being, "Shall the main question now be put?"

So ordered.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Cobb, Cosper, Crowder, Crowley, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Kelsey, Knights, Knowland, La Baree, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Wright, and Mr. Speaker—52.

NOES—Messrs. Belshaw, Burnett, Clough, Conrey, Dale, Johnson, Le Baron, Melick, Meserve, Robinson, Sanford, and Wade—12.

Title read and approved

Mr. Johnson moved to reconsider the vote whereby Messrs. Johnson and Caminetti were to address the Assembly this evening.

Motion lost.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 80, 82, 764, 728, 131, 726, 682, 260, 392, 212, 789, 513, 588, 742, 234, 414, 712, 72, 342, 167, 426, 244, 300, 491, 447, 146, 594, 730, 303, 415, 428, 65, 831, 383, 468, 565, 423, 692, 331, 81, 643, 575, 18, and 607.

Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and appropriate money therefor.

Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay.

Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, in Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake to Lake Tahoe, a State highway.

Assembly Bill No. 682—An Act to amend Section 2655 of the Political Code, relating to highway taxes.

Assembly Bill No. 260—An Act to amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889.

Assembly Bill No. 392—An Act to authorize counties, cities and counties, and incorporated towns and chartered or incorporated cities to license bicycles, tricycles, and similar vehicles and to collect a fee therefor for the purpose of devoting such fee for the construction of paths along country roads for the use of pedestrians and the wheeling thereon of such vehicles.

Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Assembly Bill No. 789—An Act regarding organizations of officers and members of the National Guard who entered the United States volunteer service in the Spanish-American war of 1898, their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California.

Assembly Bill No. 513—An Act entitled "An Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as a slot machine, within the State of California."

Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing and sparring matches, and prize or ring fights.

Assembly Bill No. 742—An Act to amend Section 290 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Assembly Bill No. 234—An Act to amend Section 1188 of the Civil Code of the State of California, relating to certificates of acknowledgment.

Assembly Bill No. 414—An Act entitled "An Act to amend Section 3009 of the Political Code," relating to the appointment of officers and employes by the San Francisco Board of Health.

Assembly Bill No. 712 (Substitute for Assembly Bill No. 18)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Assembly Bill No. 72—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Assembly Bill No. 491—An Act making an appropriation to pay the claim of C. E. Cunningham and W. C. Rogers for services as elevator attendants in the Capitol building.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Assembly Bill No. 146—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of land from overflow, other than lands recognized, as State swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands,' approved April 15, 1880," approved March 19, 1889.

Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for money due and owing to said Claus Spreckels from the State of California.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and F. P. Lukens, from Los Angeles to the cities named in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Assembly Bill No. 415—An Act making an appropriation to pay the claim of Julius Pierzog, for injuries sustained in the service of the National Guard of California.

Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz, for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

Assembly Bill No. 831 (Substitute for Assembly Bill No. 448)—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance of, by, or between men, animals, or machines, or upon chance, casualty, or uncertain, or contingent event, and the maintaining of places wherein poolselling or bookmaking is carried on, except where said pools are sold, or said bookmaking is carried on, etc.

Assembly Bill No. 333—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections to be numbered 87½, 148½, 149½, and 156½.

Assembly Bill No. 468—An Act prohibiting officers and employes of State institutions visiting or being at Sacramento during the session of the Legislature, unless required by the Governor, by the Legislature, or either house thereof, or by a committee of the Legislature, and for the betterment of the public service.

Assembly Bill No. 565—An Act to amend Sections 702 and 703 of an Act entitled "An Act to establish a Code of Civil Procedure," by which amendment the time of redemption of real estate from sale under execution is changed from twelve months to six months.

Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

Assembly Bill No. 692 (Substitute for Assembly Bill No. 330)—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the general permanent powers of Boards of Supervisors.

Assembly Bill No. 331—An Act to amend Section 2253 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway taxes.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Assembly Bill No. 643—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Assembly Bill No. 575—An Act to amend an Act entitled "An Act to provide for classification of municipal corporations," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Assembly Bill No. 18—An Act regulating and encouraging mining in the State of California, and making a general State law not in conflict with the Federal mining laws.

Reengrossed: Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

RICKARD, Chairman.

Assembly Bills Nos. 80, 82, 764, 728, 131, 726, 682, 260, 392, 212, 789, 513, 588, 742, 234, 414, 712, 72, 342, 167, 426, 244, 300, 491, 447, 146, 594, 730, 303, 415, 428, 65, 831, 383, 468, 565, 423, 692, 331, 81, 643, 575, 18, and 607 ordered on third-reading file.

LEAVE OF ABSENCE.

Mr. Works was granted a leave of absence for the day, on motion of Mr. Crowder.

RESOLUTION—(OUT OF ORDER).

By Mr. Rickard:

Resolved, That the State Printer and the Committee on Engrossment and Enrollment be instructed to engross and deliver the Assembly bills in regular order, without regarding Assembly Bill No. 687.

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 114—An Act to amend Section 103 of the Code of Civil Procedure of the

State of California, relating to Justices' Courts and Justices—report the same back, and recommend that it do pass as amended.

JOHNSON, Chairman.

Assembly Bill No. 114 ordered on second-reading file.

Mr. Atherton moved that Senate Bill No. 59 be placed at the head of Senate special file.

So ordered.

SPECIAL ORDERS.

Report of Committee on Elections.

The subject-matter of the report was divided and considered in sections.

Mr. Wade moved the adoption of the following:

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of McIver vs Mack, beg to submit the following:

Expenses of Finley McIver, contestant.

Clerk's and notary's fees in filing complaint in the Superior Court of the County of Inyo	\$10 00
Service of notice and complaint	1 50
Sheriff's fees in subpoenaing seven witnesses and mileage	21 00
Witness fees, as follows:	
D. J. Hession, one day	\$2 00
Lee Wilkerson, one day	2 00
L. L. Hawkins, one day, and ten miles	4 00
T. E. Trimmer, one day, and eighteen miles	5 60
A. W. Hausinger, one day, and twenty miles	6 00
L. Bergevin, one day, and twenty miles	6 00
W. C. Nusser, one day, and twenty miles	6 00
Carfare and expenses of self in attendance on committee	31 60
Expenses of attorney in attendance on committee	108 00
Notary's fees on depositions, including seventy-six folios at thirty cents	26 00
Service of notice of depositions, and mileage	26 30
Depositions before A. B. Davidson and A. C. Harvey, Justices of the Peace, sixty-three folios	5 80
Fees of Notary, County Clerks, and Justices of the Peace in taking depositions	22 60
Telegrams	30 00
F. H. Powers, advising with attorneys in matter of taking depositions in preparation of case, appearance before committee, arrangement for argument, preparation of authorities and arguing case, ten days in all	4 60
Stenographer's fees in copying depositions	350 00
Stenographer's fees in copying depositions	12 00
Total	\$649 40

Amount approved by the committee, as follows:

Clerk's and notary's fees filing complaint in the Superior Court of the County of Inyo	\$6 50
Service of notice and complaint	1 50
Sheriff's fees in subpoenaing seven witnesses, and mileage	21 00
Witness fees, seven witnesses, and mileage	22 00
Carfare and expenses of F. McIver, contestant, in attendance on committee in Sacramento	70 00
Traveling expenses of attorney in attendance on committee	15 00
Notary's fees on deposition including seventy-six folios	15 20
Service of notice of depositions, and mileage	5 80
Depositions before A. B. Davidson and A. C. Harvey, Justices of the Peace, sixty-three folios	12 60
Fees of Notary, County Clerk, and Justices of the Peace in taking depositions	30 00
Telegrams	4 60
F. H. Powers, attorney's fees	200 00
Stenographer's fees in copying depositions	12 00
Total	\$416 20

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant,

and the Treasurer is instructed to pay the same, for \$416 20 in favor of Frank H. Powers, attorney for contestant, to be by him distributed in accordance with bills allowed.

Expenses of P. H. Mack, contestee.

Advising with Attorneys Reddy, Campbell & Metson, and appearance of Attorney Metson before the Committee on Contested Elections, arrangement for argument, preparation of authorities, and argument of the case, seven days in all \$350 00

And we offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$200 in favor of Reddy, Campbell & Metson, attorneys for contestee.

COSPER, Chairman.

Report adopted.

Mr. Wade moved the adoption of the following:

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Brophy vs. O'Brien, beg to submit the following:

Expenses of Thomas E. Brophy, contestant.

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco	\$10 00
Service of notice and complaint	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice and commission, and copies thereof, sixty-two folios, at twenty cents a folio for originals and ten cents a folio for copies	24 80
Fees subpoenaing witnesses, and mileage	58 00
Expenses in obtaining witnesses and preparation for trial of case	75 00
Fees, twenty-seven witnesses, one day each	54 00
Justices of the Peace F. H. Kerrigan and J. E. Barry	60 00
Expense of self in attendance on committee at Sacramento	110 00
F. H. Powers, in attendance on committee, three trips to Sacramento	42 00
George H. Hawes, shorthand reporter, four days, at \$10	\$40 00
Transcript of testimony and proceedings furnished contestant, 1062 folios, at twenty cents	212 00
Copy of testimony in behalf of contestant, 690 folios, at ten cents	69 00
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Frank H. Powers, attorney's fees	321 00
J. W. Johnson, attorney's fees	500 00
Expenses of J. W. Johnson, in attendance on committee	500 00
Telegrams	33 00
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Total	\$1,792 70

Amount approved by your committee in the case of the contestant is as follows

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco	\$6 50
Service of notice and complaint	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice and commission, and copies thereof, sixty-two folios, at ten cents a folio for originals and five cents a folio for copies	12 40
Fees subpoenaing witnesses, and mileage	58 00
Fees, twenty-seven witnesses one day each	54 00
Justices of the Peace F. H. Kerrigan and J. E. Barry	20 00
Expenses of self in attendance on committee at Sacramento	25 00
F. H. Powers in attendance on committee, three trips to Sacramento	25 00
George H. Hawes, shorthand reporter, as follows:	
Four days at \$5	\$20 00
Transcript of testimony and proceedings furnished contestant	53 10
Copy of testimony on behalf of contestant	17 25
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Frank H. Powers, attorney's fees	90 35
J. W. Johnson, attorney's fees	100 00
Expenses of J. W. Johnson, in attendance on committee	100 00
Telegrams	33 00
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Total	\$529 15

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of Frank H. Powers, attorney for contestant, in the sum of \$529 15, to be by him distributed in accordance with bills allowed.

Expenses of Daniel S. O'Brien, contestee.

Clerk's fee, filing appearance	\$2 00
Fifteen witnesses, one day each, at \$2	30 00
Henry O'Brien, investigating and finding witnesses	50 00
Henry O'Brien, serving subpoenas	21 00
Henry O'Brien, mileage on same	2 10
Reporter's fees, Ernest J. Mott, four days at \$10	\$40 00
Transcript of testimony furnished contestee, 1062 folios at twenty cents	212 40
Copy of testimony for contestee, 372 folios at ten cents	37 20
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Notary's fee on appearance	289 60
Mileage of D. S. O'Brien, contestee, to San Francisco and return	50
Typewriting	18 00
Two commissioners, one half of fee, four days at \$10	10 00
W. H. Chapman, attorney's fees	40 00
W. H. Chapman, expenses, two trips to Sacramento in attendance on committee	1,250 00
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Total	\$1,763 20

Amounts approved by your committee.

Clerk's fee, filing appearance	\$2 00
Fifteen witnesses, one day each at \$2	30 00
Henry O'Brien, serving subpoenas	21 00
Henry O'Brien, mileage on same	2 10
Reporter's fees, taking and transcribing testimony	82 40
Notary's fees, on appearance	50
Expense of D. S. O'Brien to San Francisco and return	5 00
Two commissioners, one half of fee, four days at \$5	20 00
W. H. Chapman, attorney's fee	200 00
W. H. Chapman, expenses, two trips to Sacramento in attendance on committee	25 00
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Total	\$388 00

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of W. H. Chapman, attorney for contestee, in the sum of \$388, to be by him distributed in accordance with bills allowed.

Bills contracted by the committee, as follows

W. J. Biggy, Registrar of the City and County of San Francisco, fare to and from Sacramento	\$5 00
Pullman	1 00
Hotel and meals	10 00
Baggage	50
Expressage on ballots	3 30
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L. J. Welch, Deputy Registrar, fare to and from Sacramento	\$5 00
Hotel and meals	10 00
Attendance on committee	15 00
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J. J. O'Meara, Deputy Registrar, fare to and from Sacramento	\$5 00
Hotel and meals	10 00
Attendance on committee	15 00
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Total	\$79 80

And we herewith offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of W. J. Biggy, in the sum of \$79 80

Lawrence Mahoney, one night watching ballots	\$5 00
James A. Code, two days and one night as keeper of the vault for the ballots	15 00
W. O. Banks, Sergeant-at-Arms of Assembly, milcage of Assistant Sergeant-at-Arms, to and from San Francisco	18 00
Serving one subpoena	1 00
Hon. Owen Wade, cash paid for typewriting	50
A. W. Branch, tally clerk, two sessions of committee	16 00
Henry O'Brien, tally clerk, two sessions of committee	16 00
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Total	\$71 60

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of A. B. Evans, clerk of Committee on Contested Elections, who will pay the last named claimants and take their receipts therefor, in the sum of \$71 50.

COSPER, Chairman.

Mr. White moved to amend the report of the Committee on Contested Elections by striking out all that portion of the report relating to the expenses of D. S. O'Brien, contestee, and inserting in lieu thereof the total amount allowed for expenses to said contestee the sum of \$692 10, in lieu of \$388.

The roll was called on the motion to amend, and lost by the following vote:

AYES—Messrs. Barry, Brooke, Cargill, Cobb, Crowley, Devoto, Dibble, Feliz, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Miller of San Francisco, Rickard, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Wright—28.

NOES—Messrs. Atherton, Beecher, Belshaw, Bliss, Chynoweth, Clough, Conrey, Cosper, Crowder, Dale, De Lancia, Dunlap, Fairweather, Greenwell, La Barea, Le Baron, Lardner, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Pierce, Raw, Robinson, Sanford, and Wade—27.

Report *in re* Brophy vs. O'Brien adopted.

Mr. Cosper moved the adoption of the following:

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Jones vs. Wardell, beg to report as follows:

Amount of claims of contestant Leon E. Jones.

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco	\$10 00
Service of notice and complaint	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice and commission, and copies thereof, fifty-eight folios at twenty cents a folio for originals, and ten cents a folio for copies	23 20
Fees subpoenaing witnesses, and mileage	19 00
Witness fees, ten witnesses as follows:	
Dec. 31, 1898—W. J. Biggy	2 00
L. J. Welsh	2 00
P. L. Opsvig	2 00
Jan. 3, 1899—W. J. Biggy	2 00
L. J. Welsh	2 00
P. L. Opsvig	4 00
W. B. Benchley	2 00
John Guthrie	2 00
H. Burdell	2 00
Jan. 4, 1899—N. E. Maison	2 00
Justices of the Peace F. H. Kerrigan and J. E. Barry	60 00
Expense of self in attendance on committee at Sacramento	105 00
Expense of attorney F. H. Powers, in attendance on committee at Sacramento	40 00
Notary's fees on deposition	3 50
E. J. Mott, shorthand reporter, 726 folios and three days	230 10
H. H. North, attorney's fees	500 00
Frank H. Powers, attorney's fees	500 00
Telegrams	2 10
Total	\$1,516 40

Amount approved by your committee in case of Jones vs. Wardell on the part of the contestant

Clerk's and notary's fees in filing complaint in the Superior Court of San Francisco	\$6 50
Service of notice and complaint	1 50
Mrs. C. S. Whiteman, stenographer's fees, drawing complaint, notice and commission, and copies thereof, fifty-eight folios at ten cents a folio for originals, and five cents a folio for copies	11 60
Fees subpoenaing witnesses and mileage	19 00
Witness fees, ten witnesses	22 00
Justices of the Peace F. H. Kerrigan and J. E. Barry	30 00
Expenses of self in attendance on committee at Sacramento	40 00

Expenses of Attorney F. H. Powers in attendance on committee at Sacramento.....	\$25 00
Ernest J. Mott, shorthand reporter, 726 folios and three days.....	65 05
H. H. North, attorney's fees.....	100 00
Frank H. Powers, attorney's fees.....	100 00
Notary's fees.....	3 50
Telegrams.....	2 10
Total.....	\$426 25

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of Frank H. Powers, attorney for the contestant, for the amount of \$426 25, to be by him distributed in accordance with the bills as allowed.

Amount of claims presented by J. S. Wardell, contestee.

Shorthand reporter for transcribing testimony and proceedings, 726 folios at twenty cents.....	\$145 20
Shorthand reporter for copy of contestee's portion of testimony and proceedings, 177 folios at ten cents.....	17 70
Per diem of shorthand reporter, three days.....	30 00
Lee Barnert, serving eighteen subpoenas, \$1 50 each.....	27 00
Lee Barnert, three days looking up witnesses.....	15 00
Eighteen witnesses, two days each at \$2 per day.....	72 00
Expenses of H. C. Gesford, attorney, coming to Sacramento in attendance on committee.....	50 00
H. C. Gesford, attorney's fees in contest before Justices' Court Commissioner, and before Contested Election Committee.....	750 00
H. G. W. Dinkelspiel, attorney's fees in contest before Justice's Commission.....	250 00
J. S. Wardell, expenses going from Sacramento to San Francisco, attendance upon matters connected with contest.....	10 00
Incidental expenses.....	32 50
Total.....	\$1,399 40

Amounts approved by your committee.

Shorthand reporter for transcribing testimony and proceedings, 726 folios, at ten cents.....	\$72 60
Shorthand reporter for copy of contestee's portion of testimony and proceedings, 177 folios, at five cents.....	8 85
Per diem of shorthand reporter, three days.....	15 00
Lee Barnert, serving eighteen subpoenas, \$1 50 each.....	27 00
Eighteen witnesses, two days each, at \$2 per day.....	72 00
Expenses of H. C. Gesford, attorney, coming to Sacramento in attendance on the committee.....	15 00
H. C. Gesford attorney's fee.....	150 00
H. G. W. Dinkelspiel, attorney's fee.....	50 00
J. S. Wardell, expenses going from Sacramento to San Francisco, attendance upon matters connected with contest.....	5 00
Incidental expenses.....	10 00
Total.....	\$425 45

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of H. C. Gesford, attorney for contestee, for the amount of \$425 45, to be by him distributed in accordance with the bills allowed

Bills contracted by committee.

W. J. Biggy, Registrar of the City and County of San Francisco, fare to and from Sacramento.....	\$5 00
Hotel expenses, etc.....	15 00
Carriage.....	1 00
Expressage on ballots.....	3 60
	\$24 60
John O'Meara, Special Deputy Registrar, fare to and from Sacramento.....	\$5 00
Three nights' lodging.....	3 00
Meals.....	5 50
Attendance on committee.....	25 00
	38 50
L. J. Welch, Deputy Registrar, fare to and from Sacramento..	\$5 00
Three nights lodging.....	3 00

Meals.....	\$5 50	
Attendance on committee.....	25 00	
		<hr/> \$38 50
		<hr/> \$101 60

And we offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of W. J. Biggy, Registrar of the City and County of San Francisco, in the sum of \$101 60.

W. O. Banks, Sergeant-at-Arms of Assembly, mileage for assistant to and from San Francisco	\$18 00	
Mileage for assistant to and from San Francisco	18 00	
Serving two subpoenas	2 00	
Service as watchman three nights	15 00	
		<hr/> \$53 00
James A. Code, three days and three nights watching and opening vault	30 00	
Lawrence Mahoney, watching ballots for Registrar and committee..	15 00	
Owen Lynch, watching ballots two nights for J. S. Wardell	10 00	
A. W. Branch, tally clerk at five sessions of the committee	30 00	
Al. McCabe, tally clerk at five sessions of the committee	30 00	
		<hr/> \$163 00

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of A. B. Evans, clerk of Committee on Contested Elections, in the sum of \$163, to be by him distributed
COSPER, Chairman.

Mr. Sullivan moved to amend the report of the Committee on Contested Elections by striking out all that portion of the report relating to the expenses of J. S. Wardell, contestee, and inserting the total amount allowed for expenses to said contestee as \$599 40 in lieu thereof, and offered the following resolution as a substitute for committee's resolution :

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. S. Wardell for \$599 40, and the Treasurer is directed to pay the same out of the fund for contingent expenses of the Assembly ; *provided*, that said allowance shall be held to cover all expenses of said contestee.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Arnerich, Barry, Brooke, Cobb, Crowley, Devoto, Dibble, Glenn, Greenwell, Hoey, Johnson, Knowland, Mack, McDonald of Tuolumne, McKeen, Merrill, Miller of San Francisco, O'Brien, Rickard, Eugene Sullivan, and White—21.

NOES—Messrs. Atherton, Beecher, Belshaw, Bliss, Boynton, Burnett, Cargill, Chynoweth, Clough, Conrey, Cosper, Crowder, Dale, De Lancia, Dunlap, Fairweather, Huber, Jilson, Knights, La Barce, Le Baron, Lardner, Mead, Melick, Meserve, Milce, Miller of Los Angeles, Pierce, Radcliff, Raw, Robinson, E. D. Sullivan, Wade, and Wright—34.

The report *in re* Jones vs. Wardell adopted.

Mr. Wade moved the adoption of the following :

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Graham vs. Hoey, beg to submit the following.

Expenses of Patrick Graham, contestant.

Henry Ellis, stenographer, drawing complaint, notice and commission, thirty-one folios, at twenty cents a folio for originals and ten cents a folio for copy	\$9 30	
Clerk's fees filing complaint and verification of same	6 50	
Certified copy by Clerk	50	
Services of notice and complaint by Sheriff	2 25	
Justices of the Peace G. C. Groezinger and J. E. Barry, eleven days for each Justice	220 00	
Clement Bennett, shorthand reporter, eleven days, \$10 per day, \$110 00		
Original transcript of entire testimony and proceedings furnished contestant, 1,596 folios at twenty cents per folio	319 20	
Copy of contestant's portion of testimony and proceedings certified to Assembly, 645 folios at ten cents	64 50	
		<hr/> 493 70

Telegrams	\$1 50
Archibald Bernard, attorney's fees	1,000 00
Archibald Bernard, expenses to Sacramento, in attendance on the committee	11 00
Fees subpoenaing witnesses, and mileage	27 00
Witness fees, twenty-seven witnesses at \$2 each	54 00

Total \$1,825 75

Amount approved by your committee in the case of the contestant

Henry Ellis, stenographer, drawing complaint, notice, and commission, thirty-one folios at ten cents for original and five cents for copy	\$9 65
Clerk's fees filing complaint, and verification thereof	6 50
Certified copy by Clerk	50
Service of notice and complaint by Sheriff	2 25
Justices of the Peace G. C. Groezinger and J. E. Barry, eleven days for each Justice	110 00
Clement Bennett, shorthand reporter	150 92
Telegrams	1 50
Archibald Bernard, attorney's fees	200 00
Archibald Bernard, expenses to Sacramento in attendance on committee	11 00
Fees subpoenaing witnesses	27 00
Witness fees, twenty-seven at \$2 each	54 00

Total \$573 32

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$573 32 in favor of Archibald Bernard, attorney for contestant, to be by him distributed in accordance with the bills allowed.

Expenses of Lawrence J. Hoey, contestee.

Miss K. McWilliams, stenographer, drawing answer, appearance and order for subpoena, 25 folios at twenty cents a folio for originals and ten cents a folio for copies	\$10 00
Expenses of Attorney J. J. Greeley, in attendance on committee	41 00
Expenses of Attorney R. H. Countryman, in attendance on committee	37 50
Lawrence Hoey, mileage and expenses going to San Francisco in contest	25 00
Stephen Potter, shorthand reporter, 11 days at \$10	110 00
Original transcript of entire testimony and proceedings furnished contestee, 1,596 folios at twenty cents	319 20
Copy of contestee's portion of testimony and proceedings certified to Assembly, 951 folios at ten cents	95 10
Telegrams	1 65
County Clerk, for transmission of depositions to Secretary of State	1 00
J. J. Greeley, attorney's fees	750 00
R. H. Countryman, attorney's fees	750 00
Fees subpoenaing witnesses, and mileage	86 10
Witness fees, forty-five witnesses at \$2 each	90 00

Total \$2,316 55

Amount approved by the committee in the case of the contestee

Miss K. McWilliams, stenographer, drawing answer, appearance, and order for subpoena, 25 folios	\$5 00
Expenses of attorney J. J. Greeley, in attendance on committee	12 00
Expenses of R. H. Countryman, attorney, attendance on committee	12 00
L. Hoey, expense going to San Francisco, in contest	5 00
Stephen Potter, shorthand reporter	158 57
Telegrams	1 65
County Clerk, for transmission of depositions to Secretary of State	1 00
J. J. Greeley, attorney's fees	100 00
R. H. Countryman, attorney's fees	100 00
Fees subpoenaing witnesses, and mileage	86 10
Witness fees, 45 witnesses at \$2 each	90 00

Total \$571 32

And we herewith offer the following resolution :

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$571 32, in favor of J. J. Greeley, attorney for contestee, to be by him distributed according to the bills allowed.

COSPER, Chairman.

Report adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. La Barea:

WHEREAS, The Committee on State Hospitals and Asylums did have before it several bills, petitions, and documents during the time from January 10, 1899, to February 22, 1899, and said committee having had no regular or assigned clerk, and the chairman of said committee requested and appointed as clerk of said committee Miss Irene N. Clarke, who did so act and perform the duties as clerk of said committee; therefore, be it

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of said Irene N. Clarke for such services from January 10, 1899, to February 22, 1899 (both days inclusive), and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Resolution ordered on unfinished business file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution offered by Mr. Cowan on Monday last, have had the same under consideration, and report the same back with the recommendation that it be not adopted.

Also: On the resolution offered by Mr. E. D. Sullivan on the 21st inst., report that they have had the same under consideration, and report back as a substitute for said resolution the following regulation: "That when any bill shall have been twice passed on a file after the adoption of this regulation, such bill shall be placed at the foot of the file on which it stands."

DIBBLE, Chairman.

Mr. Dibble moved that the report be printed in the Journal.

So ordered.

SUBSTITUTE RESOLUTION—(OUT OF ORDER).

By Mr. Melick:

Resolved, That the Controller is hereby directed to draw warrants in favor of the following persons, for services as committee clerks in the Assembly, as follows: For \$48, in favor of Frank Storer, for services from January 19 to February 1, 1899; for \$20, in favor of M. H. Dunn, from January 27 to February 1, 1899; for \$52, in favor of Miss M. Peterson, from January 19 to February 1, 1899; for \$56, in favor of Lloyd Childs, from January 18 to February 1, 1899; for \$40, in favor of Clyde Alvord, from January 24 to February 1, 1899.

Also: In favor of Charles Prince for \$72, for his services as Porter in the Assembly galleries and committee rooms, from January 9 to February 1, 1899.

Also: In favor of Ralph Schleur for \$45, for services as Page, from January 13 to February 1, 1899.

Also: In favor of Emmet Rhodes for \$45, for services as Page from January 13 to February 1, 1899.

Also: In favor of William C. Guirey, as assistant clerk at the desk from February 7 to February 17, 1899, for \$66.

Also: In favor of Ed J. Smith, as assistant clerk at the desk from February 7 to February 17, 1899, for \$66.

And the State Treasurer is hereby directed to pay said warrants out of the appropriation for the contingent expenses of the Assembly.

Mr. Melick moved that the resolution be printed in the Journal.

So ordered.

REPORT OF STANDING COMMITTEE.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom were referred the following bills herewith return the same with the recommendation that the authors be permitted to introduce them. The numbers of said bills are as follows: Nos. 987 to 993, inclusive.

COBB, Chairman.

The question being, "Shall the constitutional provision relating to the introduction of bills be suspended?"

The roll was called, and the following bills were allowed to be introduced by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feltz, Glenn, Greenwell, Griffin, Hoey, Jilson, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Wright, and Mr. Speaker—54.

NOES—None

INTRODUCTION OF BILLS.

By Mr. White: Assembly Bill No. 987—An Act to amend Section 11 of an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read first time, and referred to Committee on Judiciary.

By Mr. Caminetti: Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State, etc.

Read first time, and made special order for Friday at three o'clock and thirty minutes p. m.

By Mr. Griffin: Assembly Bill No. 989—An Act to amend Section 3750 of the Political Code of the State of California, relating to delinquent taxes.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 990—An Act to amend Section 3746 of the Political Code of the State of California, relating to the publication of notices by Tax Collectors, specifying the time when taxes will become due and payable, and when delinquent.

Read first time, and referred on Committee on Judiciary.

Also: Assembly Bill No. 991—An Act to repeal Section 3824 of the Political Code of the State of California, relative to repayment of excess collection of taxes on personal property unsecured by real estate.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 992—An Act to repeal Section 3825 of the Political Code of the State of California, relating to the collection of any deficiency arising in the collection of taxes on personal property unsecured by real estate.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 993—An Act to repeal Section 3828 of the Political Code of the State of California, relating to the duties of Auditor to enter and note the amount of excess or deficiency in the collection of taxes on personal property unsecured by real estate.

Read first time, and referred to Committee on Judiciary.

MOTIONS.

Mr. Merrill moved that the resolution whereby the report of the Committee on Contested Elections in the case of Brophy vs. O'Brien was adopted, be reconsidered.

Mr. Wade moved to lay the motion to reconsider upon the table.

So ordered.

ADJOURNMENT.

At five o'clock and seven minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, February 23, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 23, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr Speaker—74

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

MOTION.

Mr. Valentine moved that the Assembly do now consider Governor's message, just presented.

So ordered.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 22, 1899. }

To the Assembly of the State of California

I respectfully request of your honorable body leave to recall message on Assembly Bill No 84, for the purpose of correcting a clerical error.

HENRY T. GAGE,
Governor of the State of California

Mr. Valentine moved that the request of the Governor be complied with.

So ordered.

LEAVE OF ABSENCE.

Mr. Works was granted leave of absence for the day, on motion of Mr. Crowder.

Mr. Brown was granted leave of absence for the day, on motion of Mr. Atherton.

Mr. Kenneally was granted leave of absence for the rest of the week, on motion of Mr. Hoey.

Mr. Clark was granted leave of absence for the day, on motion of Mr. Kelsey.

Mr. Arnerich was granted leave of absence for the day, on motion of Mr. Marvin

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Knowland

The Journal of Tuesday, February 21, 1899, was read and approved.

COMMUNICATION.

The Speaker announced the receipt of the following communication:

SACRAMENTO, February 22, 1899.

To the Assembly of the State of California:

I have the honor to acknowledge the receipt of a resolution adopted by your honorable body on the 16th instant, reading as follows:

Resolved. That the Attorney-General be and he is hereby requested to report to the Assembly the present status of all litigation pending between the Railroad Commissioners of this State and the Southern Pacific Railroad Company and other railroads; also, the amount of funds necessary to carry on said litigation to a final determination.

Pursuant to the terms of the foregoing resolution I have made the needed examinations, and beg to report thereon as follows:

I am unable to find any litigation pending between the Railroad Commissioners of this State and the Southern Pacific Railroad Company.

Following is an account of all litigation, so far as I have been able to ascertain the same, now pending between the Board of Railroad Commissioners and any other railroads, together with a statement of the amount of funds necessary to carry on said litigation to a final determination.

I.

Southern Pacific Company et al
vs
Board of Railroad Commissioners, etc. } No. 64311.

Action brought in the Superior Court in and for the City and County of San Francisco to obtain a writ of prohibition in the matter of the complaint of John R. Robinson before the Board of Railroad Commissioners

On August 1, 1898, the Court filed its opinion and order granting the writ of prohibition. No appeal has been taken from the order granting the writ.

I am advised that this office was but nominally connected with the above cause, Hon George W. Monteith having conducted the proceedings therein on behalf of the complainant, John R. Robinson.

II.

Board of Railroad Commissioners, etc.,
vs
Market Street Railway Company
And J. L. Willcutt, Secretary, etc. } No. 59728

Action brought in the Superior Court in and for the City and County of San Francisco, to compel defendants to produce all papers, books, records, etc., for investigation by the Board of Railroad Commissioners, in the establishment of rates of fare.

On October 13, 1898, the Court, through Seawell, Judge, filed its written opinion and ordered that judgment be entered denying the writ of mandate prayed for, and directing a dismissal of the action. No appeal was taken. The cost of an appeal would, probably, not exceed \$100.

III.

Southern Pacific Company
vs
Board of Railroad Commissioners. } United States Circuit Court

To better understand the nature and purpose of this suit, it may be well to briefly suggest the causes which gave it birth.

On September 12, 1895, the Board of Railroad Commissioners adopted a resolution, upon which a schedule of rates was based, and by which an eight per cent reduction in grain rates was sought to be established.

On the following day, September 13, 1893, the board adopted another resolution looking to a general reduction of freight rates, other than upon grain, to the extent of twenty-five per cent of such rates as they existed on December 1, 1891. No schedule was ever adopted under this resolution.

On October 14, 1895, the Southern Pacific Company, against whom the above resolutions were directed, filed a bill in equity in the United States Circuit Court for the Northern District of California, by which it was sought to restrain the Board of Railroad Commissioners from proceeding under the foregoing resolutions.

A temporary restraining order having been issued by the Court, an injunction pending the trial of the cause was sought by the Southern Pacific Company, the hearing upon which, from various causes, was delayed until January 6, 1896.

The hearing of this motion, including two continuances, occupied some four months, the argument alone occupying twenty-nine days. The motion was then taken under advisement by the Court.

On November 30, 1896, the Court made its order continuing the injunction as to the proposed eight per cent reduction in grain rates, but refusing to further enjoin proceedings under the so-called twenty-five per cent resolution, the board having disclaimed any intention of proceeding under the latter resolution without further investigation.

On January 25, 1897, the Board of Railroad Commissioners filed their answer to the bill of complaint, and on February 17, 1897, the Southern Pacific Company filed its replication thereto.

Exceptions to the answer were filed and referred to the Master in Chancery, upon whose report, and after argument by counsel, the Court entered an order allowing such exceptions in part and denying them in part.

This last named order was made on April 25, 1898, whereupon the cause became at issue, and the taking of testimony was thereupon begun.

The complainant (the Southern Pacific Company) has taken the testimony of its Chief Engineer, Mr. Hood, and of Messrs Curtis and Bogue, presented as experts, and a few other minor witnesses. The testimony thus far taken by complainant relates to the question as to what it would cost to reproduce the properties of the Southern Pacific Company. The taking of testimony on the part of complainant has not yet been completed.

The respondent (the Board of Railroad Commissioners) has taken the testimony of C. P. Huntington. Preparations are now being perfected for the further taking of testimony on behalf of respondent.

The testimony thus far taken amounts to 2,920 pages of typewritten matter, the taking of which occupied the greater part of the time from May 5 to November 2, 1898.

COSTS AND EXPENSES.

1—Costs and Expenses Already Paid or Incurred

Hon. W. W. Foote, retainer (paid).....	\$10,000 00
Hon. Robert Y. Hayne, retainer (paid).....	10,000 00
Hon. J. C. Daly, retainer (judgment against State)	11,050 00
Clement Bennett, reporter (paid)	2,126 80
Clement Bennett, reporter (bill pending in Legislature).....	2,242 80
I. H. Polk, expert (bill pending in Legislature).....	7,709 50
Total paid or incurred	\$43,128 10

2—Probable Future Costs and Expenses.

Fees of expert (estimated).....	\$30,000 00
Fees of special counsel (estimated).....	30,000 00
Fees of reporter, including transcription of testimony (estimated)	5,000 00
Other costs including traveling expenses in event of appeal to and hearing before United States Supreme Court.....	2,000 00
Total probable future costs	\$87,000 00

RECAPITULATION

Costs and expenses already paid or incurred	\$43,128 10
Probable future costs and expenses	67,000 00
Total.....	\$110,128 10

Referring to the probable future costs and expenses necessary to secure a final determination of the case last above referred to, I desire to state that it is impossible to estimate with any degree of accuracy the amount of such costs and expenses, but it is safe to assume that they will not fall below the amounts above indicated.

In the matter of fees of expert, the amount has been placed at \$30,000. This is believed to be a conservative estimate of the amount necessary to secure the indispensable aid of those who are skilled in the many and complicated matters necessary to be examined in the prosecution of the defense. In a communication addressed to the Board of Railroad Commissioners, under date of January 20th last, I estimated the expense of experts at \$25,000, and recommended to the board that they ask for that amount at the hands of the Legislature. Since then, however, and upon consultation with special

counsel in the case, I am convinced that the appropriation for expert fees should not be less than the amount first above indicated.

In my opinion the employment of experts is indispensable to the presentation of a proper defense, in which opinion I am joined by associate counsel.

Referring to the matter of attorneys' fees, I will state that the continued employment by the Board of Railroad Commissioners of special counsel as heretofore, that is to say, three in number, cannot well be done for less than \$30,000, in addition to the \$31,050 already paid or incurred. It is not necessary, however, that the entire \$30,000 should be appropriated at the present session of the Legislature, though I would suggest that a payment of \$2,500 on account to each of such special counsel as may be continued in the case would be a proper and appropriate course to pursue.

The other items of probable future costs above enumerated are clearly indispensable, and are certainly conservative.

The amount of the last named items, as also the amount of attorneys' fees, will depend in no small degree upon the length of time occupied in reaching a final determination of the case. So far some three and one half years have been consumed since the commencement of the suit. Upon the conclusion of the taking of the testimony the case will come up for trial in the United States Circuit Court, from which an appeal lies to the United States Circuit Court of Appeals, whence an appeal may be taken to the Supreme Court of the United States. You will thus perceive the difficulties attendant upon an attempt to comply with the request of your honorable body to report the "amount of funds necessary to carry on said litigation to a final determination."

Respectfully,

TIREY L. FORD, Attorney-General.

Pending reading, Mr. McDonald of Alameda moved that further reading of communication be dispensed with, and that it be printed in the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 198—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be referred to Committee on Ways and Means.

WADE, Chairman.

Assembly Bill No. 193 referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 556—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Assembly Bill No. 896—An Act to repeal an Act entitled "An Act to encourage and provide for a general vaccination in the State of California," approved February 20, 1889.

Also: Assembly Bill No. 920—An Act to regulate the practice of electro-therapeutics in the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CARGILL, Chairman.

Assembly Bills Nos. 556, 896, and 920 ordered on second-reading file.

ON FRUIT AND VINE INTERESTS

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 788—An Act to repeal an Act to promote the horticultural interests of the State by providing county boards of horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881; and certain Acts amendatory thereof, approved March 19, 1889,

and March 31, 1891; said Act approved March 31, 1897 (Statutes of 1897, Chapter CCXXXIII)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BEECHER, Chairman.
RADCLIFF.
GRIFFIN.
RAUB.
BROOKE.

Assembly Bill No. 788 ordered on second-reading file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 897—An Act to amend Sections 9 and 10 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks'; also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889, and an Act amendatory thereof, approved March 19, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 813—An Act to enable cities of the third class to issue fiscal year bonds for the purpose of providing money for the payment of municipal expenses before the collection of taxes—have had the same under consideration, and report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 818—An Act to amend Section 833 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder.

Also: Assembly Bill No. 829—An Act to amend Section 1 of an Act entitled "An Act to amend Section 862 of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal incorporations,' approved March 13, 1883," approved March 18, 1897.

Also: Assembly Bill No. 851—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants," approved March 23, 1893.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

RAW, Chairman.

Assembly Bills Nos. 897, 813, 818, 829, and 851 ordered on second-reading file.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 779—An Act to amend Section 667 of the Penal Code of the State of California, relating to second offenses after conviction of former offenses.

Also: Assembly Bill No. 780—An Act to amend Section 647 of the Penal Code of California, relating to vagrants.

Also: Assembly Bill No. 954—An Act to amend Section 144 of the Code of Civil Procedure of the State of California, relating to holidays.

Report the same back and recommend that they do pass.

Also: Assembly Bill No. 955—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 956—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Also: Assembly Bill No. 957—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Also: Assembly Bill No. 100—An Act to authorize the purchase or condemnation of land for streets, when less than the distance between two streets is required, and when the improvement to be effected thereby is not properly chargeable on a particular district.

Report the same back, and recommend that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 779, 780, 954, 955, 956, 957, and 100 ordered on second-reading file.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 21, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California, with my objections thereto

I disapprove of this State selection from the flora of California, because I do not think it a proper subject for legislation.

HENRY T. GAGE,
Governor of the State of California

Mr. Bliss moved that the message be printed in the Journal and laid over one week, to be placed on the unfinished business file.

So ordered.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 21, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, together with my objections, Assembly Bill No. 145—An Act to amend Section 3460 of the Political Code of the State of California, relating to assessments in reclamation districts, and to provide for a hearing of the landowners before the Commissioners of Assessment in relation to such assessments.

I disapprove of this bill because, by the provisions of Section 1 thereof, the final adjusting, equalizing, fixing, and determining of the assessment is left to the sole arbitration of the Commissioners of Assessment, and their determination is made final and conclusive upon all persons, and cannot be afterward subject to contradiction, dispute, or attack.

Such a denial of the right of appeal is not, in my opinion, consistent with just principles.

HENRY T. GAGE,
Governor of the State of California

The question being, "Shall Assembly Bill No. 145 become a law notwithstanding the objections of the Governor?"

The roll was called, and the Governor's veto sustained by the following vote:

AYES—None.

NOTES—Messrs. Atherton, Beecher, Belshaw, Boynton, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Henry, Hoey, Jilson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford Stewart, E. D. Sullivan, Wade, White, Wright, and Mr. Speaker—64.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 21, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, with my objections thereto, Substitute for Assembly Bill No. 30—An Act to amend Sections 2579, 2588, 2589, 2590, 2591, and 2605 of the Political Code, approved March 12, 1872, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego

This bill not only reenacts all of the objectionable provisions of the present law relative to the powers of the State Harbor Commissioners for the Bay of San Diego, but by ingeniously worded amendments extends those powers to such a degree as to menace the rights of the people, as well as the commerce of the State.

By the amendment to Section 2588 of the Political Code, proposed by this bill, the said Board of Harbor Commissioners are empowered "to make a plan of the harbor for the construction of piers and wharves, and any improvements that said board may deem advisable."

It is further provided by the amendment to said Section 2588 of the Political Code, with reference to the adoption of surveys and plans for the line of harbor embankment and seawall, that the "said survey and plan as adopted shall be followed in the construction of said seawall, piers and wharves, as the same may be made."

The construction of a seawall for the Harbor of San Diego, which had heretofore been authorized by the law as originally enacted, had wisely been deferred, and practi-

cally proved a dead letter, for the reason that the shipping interests of San Diego did not justify such construction. To now authorize (as is proposed by this bill) the preparation of elaborate plans and the erection of a seawall and expensive piers, slips, and wharves, would be either to demand large appropriations from the State in aid of such plans, which the State is unable to bestow, or, on the other hand, to tax the shipowners to the extent of practically destroying the shipping interests of that splendid port. Among other things, the construction of a seawall, with the burdens incident thereto, would in effect work a confiscation of many valuable properties on the waterfront not justified by the conditions and commerce of the port.

The Bay of San Diego, with its wonderful natural advantages, already affords such protection to all vessels entering that port that there is no necessity for any such immediate harbor improvement at the enormous expense contemplated by the present bill.

But there is another feature of this bill which renders it much more objectionable. The bill clothes the Harbor Commissioners with the power "to set apart for the uses and purposes of drydocks and marine railways such portions of the waterfront as the wants of commerce may require, and lease the same for a period not to exceed fifty years."

The law as it now stands gives power to lease for such purposes for a term not to exceed ten years, a power altogether excessive and which should not have been passed in the first instance, and which should be now repealed.

The present bill, by amending Sections 2579 and 2605 of the Political Code, extends the term of leasing to fifty years, thus vesting in the Harbor Commissioners authority to cede away the people's rights to railway and other corporate control.

Under the provisions of our law no farmer or other private person can be either the lessor or lessee of land for agricultural purposes for a longer period than ten years, neither can the business man, nor other private person, lease town or city lots for a longer period than twenty years.

When such restraints are imposed upon the alienation of private land, why should the special privilege proposed by this bill be conferred upon corporations of leasing for half a century the public land?

Again, by the provisions of Section 2605 of the Political Code, as amended by this bill, the limitation upon the quantity of land to be leased is removed so far as respects railroad corporations.

As amended by this bill, that portion of the section reads as follows: "No portion of said lands shall be leased in one lease in quantity to exceed one acre, except when leased for railroad purposes."

This direct attempt to monopolize the beautiful Harbor of San Diego is expressed in the above unmistakable language, and I am amazed at its very audacity.

That such an obnoxious amendment should have escaped the careful attention of your honorable body emphasizes the necessity of a close attention to the bills by the whole Assembly, and further illustrates the mistaken policy of introducing a multitude of bills upon subjects outside the scope of legitimate legislation, thereby imposing burdens upon overworked committees, and giving full employment to the known leisure hours of the Executive. And while this most unjust measure took its regular course through both the Senate and Assembly, it seems strange that few, if any, warning words were uttered.

Happily, the result of my personal investigation has been confirmed by remonstrances against this bill, received from numerous business men and other public-spirited citizens, who have appealed to the Executive for relief, and have clearly pointed out the dangers which would follow from the approval of the bill. The experience of the people of the State in their struggle for the control of their harbors and land fronting on the ocean, bays, and inlets, against corporate aggression should be a sufficient warning to legislators of the disastrous effects of laws of the character of the present bill.

For the foregoing reasons, among others, I am unalterably opposed to the present measure.

HENRY T. GAGE,
Governor of the State of California

Mr. Belshaw moved that the further consideration of the Governor's veto of Assembly Bill No. 30 be laid over for one week, and placed on the unfinished business file.

So ordered.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 22, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills No. 97, 163, 286, and 61.

HENRY T. GAGE,
Governor of the State of California

SENATE MESSAGES.

The following messages from the Senate were received and read:

SENATE CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate is in receipt of your communication inviting them to be present on this evening at the delivery of orations by the Hons. Grove L. Johnson and A. Caminetti, in commemoration of the birth of George Washington, the Father of our Country, and am further directed to inform your honorable body that the Senate is compelled to decline the invitation asking their attendance at the ceremonies in the Assembly Chamber.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Also: Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

Also: Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 25, 158, and 528 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 229—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Senate Bill No. 252—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 229—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 252—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 29—An Act to establish the California Polytechnic

School in the County of San Luis Obispo, California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

RESOLUTIONS.

By Mr. Cosper:

WHEREAS, John C. Wray has faithfully performed the duties of clerk of the Committee of Investigation from the 16th day of January, 1899, to and including the 18th day of February, 1899, a period of thirty-four days.

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the said John C. Wray in the sum of \$136, and the Treasurer is hereby authorized and directed to pay the same

Mr. Belshaw moved that the resolution be referred to Committee on Attachés and Employés.

So ordered.

By Mr. Atherton:

Resolved, That your Committee on State Prisons and Reformatory Institutions be granted leave of absence from Friday, February 23, 1899, at twelve o'clock recess, until Monday, February 27, 1899, same hour, for the purpose of visiting the Whittier State School, including their clerk.

Resolution adopted.

PETITION—(OUT OF ORDER).

Presented by Mr. Clough, relative to the hardship a quarantine of domestic animals to prevent contagious or infectious diseases would work on stock-raisers in higher altitudes—signed by one hundred and fifty residents of the State.

LEAVE OF ABSENCE.

Mr. Mack was granted leave of absence until next Wednesday, on motion of Mr. Dibble.

REPORT OF COMMITTEE OF CONFERENCE.

STATE CAPITOL, SACRAMENTO, February 23, 1899

To the honorable the Senate and Assembly of the State of California

Your committee of conference, to whom was referred Assembly Bill No 118, respectfully and unanimously reports that it has carefully considered the matters referred, and finds that without the Senate amendment the bill would be unconstitutional, and, therefore, recommends that the Assembly concur in said amendment

To meet the Assembly objections, the committee further recommends that said bill be amended by striking out all after the word "board," line 14, Section 2; all of lines 15 to 22 (both inclusive), in Section 2, and all before the word "notice," line 23, Section 2, and inserting in lieu thereof the following: "shall be held at the county seat of each county, at such times as the board may deem advisable, and no person shall be disqualified or prosecuted under the provisions of this Act in any county until said board shall have conducted an examination at the county seat thereof."

WHITE, Chairman.

Mr. Wade moved that the consideration of the report of the committee of conference be indefinitely postponed.

The ayes and noes were demanded by Messrs. Hanley, Hoey, and White.

The roll was called, and consideration of the report of the committee of conference indefinitely postponed by the following vote:

AYES—Messrs. Beecher, Belshaw, Blood, Boone, Boynton, Cargill, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Fairweather, Feliz, Glenn, Greenwell,

Huber, Jilson, Kelsey, Knights, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Wade, and White—42
NOES—Messrs. Burnett, Cobb, Crowley, Devoto, Dibble, Dunlap, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Knowland, McKeen, Merrill, Miller of San Francisco, Muentner, O'Brien, Rickard, Eugene Sullivan, E. D. Sullivan, Wardell, and Wright—23.

NOTICE OF RECONSIDERATION.

Mr. White gave notice that on next legislative day he would move to reconsider the vote whereby consideration of the report of the committee of conference was indefinitely postponed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 246 and 308. Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V, of the Political Code, relating to the State Library.

And are now in the hands of the committee for enrollment

RICKARD, Chairman.

Assembly Bills Nos. 246 and 308 ordered to third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2064, relating to highway taxes

RICKARD, Chairman.

Assembly Bill No. 255 ordered on third-reading file for final passage.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 76, 911, 102, 67, 377, 481, 252, 405, 130, 606, 605, 665, 664, and Assembly Joint Resolution No. 10

Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District, and the trustees thereof, against the State of California, and making an appropriation therefor.

Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization of committees to represent political parties at primary elections.

Assembly Bill No. 102—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Assembly Bill No. 377—An Act to amend Section 632 of the Penal Code, relating to fish.

Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols for services rendered to the State of California

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor

Assembly Bill No. 130—An Act to amend Sections 650, 651, 653, 658, 659, 660, 661, 662, 939, 940, 950, 951, 953, and 963, of the Code of Civil Procedure, relating to appeals, and the practice thereto; and to repeal Section 952 thereof, relating to the same subject.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for "repairs to the Capitol building and furniture, etc."

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Assembly Joint Resolution No. 10—Relative to setting over and establishing granite posts, to mark a true boundary line between the States of California and Nevada.

RICKARD, Chairman.

Assembly Bills Nos. 76, 911, 102, 67, 377, 481, 252, 405, 130, 606, 605, 665, 664, and Assembly Joint Resolution No. 10 ordered on third-reading file.

ON WAYS AND MEANS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 877—An Act to provide for the construction of a free wagon road from the Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 878—An Act to provide for the survey, location, and construction of a public highway or wagon road from the City of Merced, in the County of Merced, to the Yosemite Valley, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School of San Diego, California.

Also: Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking, or any interference with, any seal affixed on any safe or inner vault in the vault of the State Treasury a felony.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VALENTINE, Chairman

Assembly Bills Nos. 877, 878, 253, and 870 ordered on second-reading file.

Mr. Johnson moved that the Assembly do now take up Governor's messages.

So ordered.

GOVERNOR'S MESSAGES.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 23, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 98 and 166.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 21, 1899 }

To the Assembly of the State of California.

I herewith return to your honorable body, without my approval, together with my objections, Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shakemills, and logging camps.

While I am strongly in favor of appropriate legislation for the protection of all laboring men, I am compelled to disapprove of the present bill on account of its patent unconstitutionality.

By Section 1 of the bill the operators of sawmills, shakemills, and logging camps are required to designate a period of time during each working day for the midday meal of each and every employe of not less than one hour.

Section 2 of the bill makes a violation of its provisions a misdemeanor, and provides a penalty therefor.

This bill clearly violates Section 11 of Article I of the Constitution, which is as follows: "All laws of a general nature shall have a uniform operation." It also violates the thirty-third subdivision of Section 25 of Article IV of the Constitution, which prohibits the Legislature from passing local or special laws where a general law

can be made applicable. This bill is special, because it attempts to provide for a lunch hour for employes laboring in sawmills, shakemills, and logging camps, and excludes all other laborers in the State. It also imposes the duty upon a special class of employers, namely, those operating sawmills, shingle-mills, shakemills, and logging camps, of designating a period of time for a midday meal, and provides a penalty for a violation of the Act. This duty so imposed, with the penalty attached, is limited to this special class, leaving all other employers in the State to act in this particular as they see fit.

The bill is not uniform, therefore, in its operation upon all employers and all laborers; but, on the contrary, its provisions arbitrarily select from the general class of employers a few upon whom the duty is imposed, and a like few employes upon whom the privilege of a midday meal is conferred.

The Supreme Court of this State, in the case of *City of Pasadena vs. Stimson* (91 Cal., p. 251), distinguished special from general laws in the following language: "The conclusion is that although a law is general and constitutional when it applies equally to all persons embraced in a class founded upon some natural or intrinsic, or constitutional distinction, it is not general or constitutional if it confers particular privileges, or imposes peculiar disabilities, or burdensome conditions in the exercise of a common right upon a class of persons arbitrarily selected from the general body of those who stand in precisely the same relation to the subject of the law."

As the present bill confers peculiar privileges, and imposes peculiar disabilities, upon a class of persons arbitrarily selected from the general body within the rule stated by the court, it is therefore unconstitutional and void, and my approval of such a bill would serve no useful purpose, and I regret the necessity of such disapproval.

HENRY T. GAGE,
Governor of the State of California

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 23, 1899 }

To the Assembly of the State of California.

I herewith return to your honorable body, without my approval, Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California—with my objections thereto.

While I warmly approve of the purpose of the bill, yet it is so unhappily worded as to ignore the intent of those packing, preparing, and delivering fruits for shipment, and therefore includes within its penal provisions the most innocent acts; hence, would work considerable hardship upon innocent and ignorant employes.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 23, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, and with my objections thereto, Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

I disapprove of this bill amending the Penal Code because it ignores the intent with which the act is done of using or filling casks, kegs, bottles, siphons, cans, cases, or other packages, and would make even innocent acts crimes. (To constitute a crime there must exist a union or joint operation of *act* and *intent*, etc.—Penal Code, Sec. 20.)

I am opposed to the misuse of trademarks and to imitations of labels, and I am strongly in sympathy with the general purpose of the bill proposing to give relief against frauds upon trademarks, labels, etc., but this Act is so broad that it would subject to punishment the most innocent persons. Every person who for any purpose should use or even fill such vessel with homemade catsup, olives, or the like (even though the vessel may have been bought and sold in general trade, and innocently purchased from another), yet unless such vessel should have been purchased from the owner, or unless the consent of the owner should have been given thereto, such innocent purchaser by the mere use of such a vessel is liable to imprisonment for six months or a heavy fine of \$500, or both such imprisonment and fine.

Moreover, so far as the purpose of the bill is to protect trademarks, this bill is unnecessary, for the reason that Section 354 of the Penal Code affords ample protection.

Again, there is already a law in force covering this whole subject, namely, the Act approved March 21, 1891 (Statutes 1891, page 217), entitled "An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral, or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, weiss beer, beer, or other beverages."

Whether the Act of March 31, 1891, be valid or invalid, it should at least be tested or repealed before seeking further legislation in this direction.

If a bill be framed to properly reach the wrongs intended to be remedied by this bill, it will not meet with my disapproval.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved that the messages be printed in the Journal, and to come up under head of unfinished business to-morrow.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was re-referred Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KNOWLAND Chairman.

Mr. Valentine moved that the Assembly consider Assembly Bill No. 554 at this time.

So ordered.

Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by various State institutions, commissions, and officers, and directing the disposition of the same.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "direction" in line 4, Section 1, printed bill, insert the words "or executive officer."

Amendment adopted.

AMENDMENT No. 2.

In line 5, Section 1, printed bill, strike out the words "or of any other State institution," and insert in lieu thereof the words "or harbor."

Amendment adopted.

AMENDMENT No. 3.

In line 9, Section 1, printed bill, strike out the words "the general file of."

Amendment adopted.

AMENDMENT No. 4.

In line 10, Section 1, printed bill, after the word "treasury," insert the following words: "and credited to a fund, to be known as the Contingent Fund of the particular institution from which such moneys are received, and the same shall be expended under the same laws and provisions as now govern the expenditures of moneys appropriated for the support of such institutions"

Amendment adopted.

AMENDMENT No. 5.

In line 29, Section 1, page 2, printed bill, strike out the period after the word "treasury" and insert a semicolon, and add the following words: "and provided further, that nothing in this Act shall apply to any moneys received by the Veterans' Home of California from the United States Government."

Amendment adopted.

Assembly Bill No. 554 ordered to print, engrossment, and third reading.

Mr. Valentine moved that the Assembly do now consider Assembly Bill No. 870.

So ordered.

Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury, a felony.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting after the word "board," in line 13, Section 1, page 1, printed bill, the words "through the chairman or chairman pro tempore thereof."

Amendment adopted.

AMENDMENT No. 2.

Amend, by inserting after the word "chairman," in line 24, Section 1, page 2, printed bill, the words "or chairman pro tempore"

Amendment adopted.

Assembly Bill No. 870 ordered to print, engrossment, and third reading.

Mr. Valentine moved that Assembly Bills Nos. 574, 870, and 554 be placed at the head of special file.

So ordered.

At eleven o'clock and forty-five minutes A. M. the Speaker called Mr. Knowland to the chair.

Mr. Caminetti moved that Assembly Joint Resolutions Nos. 23 and 24 be considered at this time.

So ordered.

SPECIAL ORDERS.

Assembly Joint Resolution No. 23—Relative to preparing a memorial to the Legislatures of the several States requesting a petition to Congress for amendments to the National Constitution providing for the election of United States Senators by direct vote of the people.

Assembly Joint Resolution No. 24—Relative to preparing a memorial to the Legislatures of the several States requesting a petition to Congress for amendments to the National Constitution providing for the election of United States Senators by direct vote of the people.

Mr. Caminetti moved that the further consideration of these two resolutions be made a special order for to-morrow morning, after reading of the Journal.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 53—An Act to provide for the organization of municipal corporations, and for determining the population thereof—and was presented to the Governor on February 23, 1899, at eleven o'clock and fifteen minutes A. M.

RICKARD, Chairman.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 23, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Mnenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—75.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, February 22, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, February 22, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senators Feeney and Pace—2.
For Stephen M. White—Senators Langford, Prisk, and Sims—3.
For James D. Phelan—Senator Hall—1.
For Nathan P. Cole, Jr.—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, and La Rue—7.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr. received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	3 votes.
James D. Phelan received	1 vote.
Nathan P. Cole, Jr. received	7 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7.
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.
For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.
For Irving M. Scott—Mr. Dunlap—1.
For Stephen M. White—Messrs. Cowan, Hanley, and O'Brien—3.
For James D. Phelan—Mr. Hoey—1.
For John Rosenfeld—Mr. Crowley—1.
For Thomas R. Bard—Mr. Greenwell—1.
For Nathan P. Cole, Jr.—Messrs Boone, Brooke, Burnett, Caminetti, Fairweather, Glenn, Mead, Meserve, Sanford, Stewart, E. D. Sullivan, Wardell, and White—14.
For James G. Maguire—Mr. Feliz—1.
For William R. Hearst—Mr. Griffin—1.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	17 votes.
U. S. Grant, Jr. received	18 votes.
Irving M. Scott received	1 vote.
Stephen M. White received	3 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.
James G. Maguire received	1 vote.
William R. Hearst received	1 vote.
Thomas R. Bard received	1 vote.
Nathan P. Cole, Jr. received	13 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	111
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	11 votes.
D. M. Burns received	25 votes.
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	3 votes.
Irving M. Scott received	2 votes.
John Rosenfeld received	3 votes.
Stephen M. White received	6 votes.
James D. Phelan received	2 vote.
Nathan P. Cole, Jr., received	20 votes.
William R. Hearst received	1 vote.
James G. Maguire received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and ordered another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.
For U. S. Grant, Jr—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	11 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Messrs Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentor—7.
For M. M. Estee—Mr Wade—1.
For R. N. Bulla—Messrs Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Lundquist, McKee, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.
For U. S. Grant, Jr—Messrs Blood, Cargill, Chynoweth, Crowder, Dale, De Lancie, Huber, Le Baron, Marwin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Hoey, Mead, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—14.

For John Rosenfeld—Mr. Crowley—1.

For Thomas R. Bard—Mr. Greenwell—1.

For James D. Phelan—Mr. Burnett—1.

For W. R. Hearst—Mr. Griffin—1.

For Abbot Kinney—Mr. Meserve—1.

Whole number of votes cast by Assemblymen	73
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes
D. M. Burns received	17 votes.
U. S. Grant, Jr., received	18 votes
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	14 votes.
John Rosenfeld received	1 vote.
Thomas R. Bard received	1 vote.
James D. Phelan received	1 vote.
W. R. Hearst received	1 vote.
Abbot Kinney received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	11 votes.
M. M. Estee received	1 vote
R. N. Bulla received	11 votes.
D. M. Burns received	25 votes
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	3 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	25 votes.
James D. Phelan received	2 votes.
W. R. Hearst received	1 vote.
Abbot Kinney received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and forty minutes P. M., Assemblyman Dibble moved to adjourn until Friday at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Friday, February 24, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and forty-one minutes P. M., the Assembly took a recess until two o'clock P. M., under the rule.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 59—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hoey, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raub, Rickard, Robinson, Sanford, Wade, and Mr. Speaker—45.

NOES—Messrs. E. D. Sullivan and White—2

Title read and approved.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

LEAVE OF ABSENCE.

Mr. Greenwell was granted leave of absence for the day, on motion of Mr. McDonald of Alameda.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Clough, Cobb, Conrey, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hoey, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Rickard, E. D. Sullivan, Wade, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Cargill, Clough, Cobb, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn,

Griffin, Hoey, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Wade, Works, Wright, and Mr Speaker—48.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Wright gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 127 was this day passed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and prescribing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing.

RICKARD, Chairman

Assembly Bill No. 914 ordered on third-reading file.

At two o'clock and thirty-five minutes P. M., the Speaker called Speaker pro tem. Dunlap to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 7 (Substituted for Assembly Bill No. 10)—An Act for the relief of John Mullan, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Cargill, Cobb, Conrey, Dale, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Knights, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wardell, Works, and Wright—46

NOES—None.

Title read and approved.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Passed on file.

Senate Bill No. 10—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled 'An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands,' approved April 15, 1880," approved March 19, 1889.

Read second time, and ordered to third reading.

Senate Bill No. 369 (Substituted for Assembly Bill No. 507)—An Act to amend Section 1880 of the Political Code of the State of California, relating to the issue of bonds of school districts.

Read second time, and ordered to third reading.

Senate Bill No. 246—An Act to provide for the organization of persons

owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

Read second time, and ordered to third reading.

Senate Bill No. 5—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of its proceeds, approved March 23, 1893,' approved March 9, 1897."

Passed on file.

SENATE JOINT RESOLUTION NO. 11

Relative to money due and unpaid to the State of California from the National Government for fitting out volunteers.

WHEREAS, A large sum of money is now due and unpaid to the State of California from the National Government for the fitting out of volunteers during the Civil War; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators in Congress be instructed, and our Representatives be requested, to use all necessary efforts to secure the payment of such sum or sums of money now due, to the end that it may be turned into the State Treasury;

Resolved, That the Secretary of the Senate is hereby instructed to forward, by mail, a copy of these resolutions to each of our Senators and Representatives in Congress

Read and adopted.

Senate Bill No. 94—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Read second time, and ordered to third reading.

Senate Bill No. 326 (Substituted for Assembly Bill No. 338)—An Act to amend the title of an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund," to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes, and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893," approved March 3, 1893, to amend Section 4 of the same Act, and to appropriate the sum of \$16,747 50, now in the University Fund and unavailable.

Read second time, and ordered to third reading.

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Passed on file.

UNFINISHED BUSINESS FILE.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Passed on file.

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

Mr. Works moved that the Assembly do now concur in the following Senate amendments:

Strike out of Section 1, line 9, the words "becomes entitled to," and insert the word "receives."

Also: Amend by striking out the words "becomes entitled to," in line 7, Section 1, page 1, printed bill, and inserting in lieu thereof the word "receives."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Fehz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, Works, and Wright—52.

NOES—None.

Assembly Bill No. 132 ordered to engrossment and enrollment.

RESOLUTION—(OUT OF ORDER).

By Mr. Melick:

WHEREAS, The caricaturing of public officials (especially certain legislators) by the San Francisco Call and Examiner has passed the line of common decency; and

WHEREAS, Such work is outside the realms of legitimate journalism, which strives to ennoble and build up true manhood, womanhood, and good government as against the personal maliciousness and viciousness of yellow journalism, which persecutes and destroys; therefore, be it

Resolved, That this Assembly hereby puts its seal of severest condemnation on the unwise, unjust, and diabolical work of those newspapers as representing the malicious spite of personal organs, and outside the pale of true journalism; and

Resolved, That this Assembly hereby especially and specifically condemns and censures as malicious, cowardly, and brutal the treatment by the Call and Examiner of the Hon Grove L. Johnson, a member of this Assembly.

Mr. Burnett moved to amend the resolution as follows:

Amend the resolution by striking out the word "Examiner" wherever it occurs in the resolution.

Amendment lost.

Resolution adopted.

MOTIONS.

Mr. Fairweather moved that Assembly Bill No. 538 be recalled from Committee on Engrossment and Enrollment.

So ordered.

Mr. Dibble moved that the Assembly do now take up Senate messages.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publication of portraits and caricatures—and respectfully ask the concurrence of your honorable body in said amendments

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Works moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 400:

Amend by striking out of Section 1 all after the figures "258," in line 4, up to and including the word "crime," in line 9, and inserting in lieu thereof the following: "It shall be unlawful to publish in any newspaper, handbill, poster, book, or serial publication, or supplement thereto, the portrait of any living person a resident of California, other than that of a person holding a public office in this State, without the written consent of such person first had and obtained; *provided*, that it shall be lawful to publish the portrait of a person convicted of a crime. It shall likewise be unlawful to publish in any newspaper, handbill, poster, book, or serial publication, or supplement thereto, any caricature of any person residing in this State which caricatures will in any manner reflect upon the honor, integrity, manhood, virtue, reputation, or business or political motives of the person so caricatured, or which tends to expose the individual so caricatured to public hatred, ridicule, or contempt."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Griffin, Hanley, Henry, Huber, Johnson, Kelley, Kelsey, Knights, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Valentine, Wardell, White, Works, and Wright—53.

NOES—Messrs. Feliz, Hoey, and Raw—3.

Assembly Bill No. 400 ordered to reëngrossment and enrollment.

RESOLUTION—(OUT OF ORDER).

By Mr. Cowan

Resolved, That the members of the Assembly do hereby express and reaffirm their confidence in the integrity, ability, and untiring energy of the Hon. Grove L. Johnson, as a member of the session of 1899.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, having sent a sub-committee of four members and the clerk to visit the State Normal schools at San Diego and Los Angeles, also the Reform School at Whittier, for the purpose of investigating the needs of the various institutions, submit the account of expenses as follows:

W. D. Knights.....	\$128 40
J. M. Hanley.....	128 40
W. P. Boone.....	128 40
A. S. Milice.....	100 60
S. B. Wilson (clerk).....	128 40
Total.....	\$614 20

And we ask the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A. S. Crowder, chairman, for the sum of \$614 20, as per above statement, said warrant to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

BOONIE, Acting Chairman

Report and resolution adopted.

Mr. Dibble called up for consideration the following report:

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution offered by Mr. Cowan on Monday last, have had the same under consideration, and report the same back with the recommendation that it be not adopted.

Also: On the resolution offered by Mr. E. D. Sullivan on the 21st inst., report that

they have had the same under consideration, and report back as a substitute for said resolution the following regulation: "That when any bill shall have been twice passed on a file, after the adoption of this regulation, such bill shall be placed at the foot of the file on which it stands."

DIBBLE, Chairman.

Mr. Dibble moved that the report be adopted.

Motion carried, and it was so ordered.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom were referred the following bill, herewith return the same with the recommendation that the author be permitted to introduce it. Said bill is No. 994.

COBB, Chairman.

Mr. Dibble moved that the report be printed in the Journal, and lay over as unfinished business.

So ordered.

At three o'clock and thirty-five minutes P. M., the Speaker resumed the chair.

Mr. Melick called up for consideration the following:

Resolved, That the Controller is hereby directed to draw warrants in favor of the following persons, for services as committee clerks in the Assembly, as follows: For \$48, in favor of Frank Storer, for services from January 19 to February 1, 1899; for \$20, in favor of M. H. Dunn, from January 27 to February 1, 1899; for \$52, in favor of Miss M. Peterson, from January 19 to February 1, 1899; for \$56, in favor of Lloyd Childs, from January 18 to February 1, 1899; for \$40, in favor of Clyde Alvord, from January 24 to February 1, 1899.

Also: In favor of Charles Prince for \$72, for his services as Porter in the Assembly galleries and committee rooms, from January 9 to February 1, 1899.

Also: In favor of Ralph Schleur for \$45, for services as Page from January 13 to February 1, 1899.

Also: In favor of Emmet Rhodes for \$45, for services as Page from January 13 to February 1, 1899.

Also: In favor of William C. Guirey, as assistant clerk at the desk from February 7 to February 17, 1899, for \$66.

Also: In favor of Ed J. Smith, as assistant clerk at the desk from February 7 to February 17, 1899, for \$66.

And the State Treasurer is hereby directed to pay said warrants out of the appropriation for the contingent expenses of the Assembly.

Mr. Dibble moved that the matter be continued until to-morrow.

So ordered.

ON PUBLIC HEALTH AND QUARANTINE—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: The minority of your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 684—An Act to prevent the propagation of disease through contamination of the atmosphere by gases or fumes arising from crematories for the disposition of garbage, ashes, offal, and other refuse matters, and to prescribe penalties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

O'BRIEN

Assembly Bill No. 684 ordered on second-reading file.

RESOLUTION—(OUT OF ORDER).

By Mr. Rickard:

Resolved That the State Printer be and he is hereby instructed to engross Assembly Bill No. 400 out of order, the same being hereby declared a case of urgency.

Resolution adopted.

Mr. Mead moved that all constitutional amendments on to-day's file be passed on file.

So ordered.

SPECIAL FILE.

Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship.

Passed on file.

Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Passed on file.

Mr. Johnson moved that Assembly Bills Nos. 12 and 925 be transposed on the file.

Assembly Bill No. 925—An Act providing what imprint shall be placed on bills, placards, posters, pamphlets, and other printed matter having reference to an election of any candidate, and providing a punishment for a violation thereof.

Read second time, and ordered to engrossment and third reading.

Assembly Constitutional Amendment No. 13—Relative to amending Section 12 of Article XIII of the Constitution, relating to poll tax.

Passed on file.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, viz.: to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII, of the Constitution.

Passed on file.

Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto numbered 1166½, relating to the organization of committees to represent political parties at primary elections.

Read third time, passed on file, but to retain place on file.

Assembly Constitutional Amendment No. 24—Relative to lands, and improvements thereon, to be exempt from taxation for State purposes.

Passed on file.

Assembly Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to Section 3 of Article IV of the Constitution of the State, relating to the election and term of office of members of the Assembly.

Passed on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Passed on file.

Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners.

Passed on file.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375,

1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed on file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

THIRD-READING FILE.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California, of any article of commerce other than jute bags and broken stones, and materials for State and county roads only, and articles consumed in the State institutions.

Passed on file.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessment from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 268—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Mr Dibble, at request of author, moved that Assembly Bill No. 435 be substituted for Assembly Bill No. 268, and that Assembly Bill No. 268 be withdrawn.

So ordered.

Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State, at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Burnett, Clough, Cospier, Cowan, Crowley, Dale, De Lencie, Devoto, Dibble, Fairweather, Feliz, Glenn, Henry, Huber, Jilson, Johnson, Kelsey, Knowland, Le Baron, Lundquist, Marvin,

McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Muentner, O'Brien, Rickard, Robinson, Stewart, Wade, White, and Mr. Speaker—45.

NOES—Messrs. Hoey, Lardner, Miller of San Francisco, and Radcliff—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Clough gave notice that he would on next legislative day move to reconsider the vote whereby Assembly Bill No. 435 was this day passed.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Assembly Bill No. 147—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbor-master of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Boynton, Brooke, Burnett, Cargill, Chynoweth, Clough, Cosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Johnson, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raw, Rickard, Robinson, Sanford, Stewart, Wade, and Mr. Speaker—49.

NOES—None

Title read and approved.

RECESS.

At four o'clock and fifteen minutes p. m., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock p. m.

REASSEMBLED.

The Assembly reconvened at eight o'clock p. m.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that Assembly Bill No. 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publication of portraits and caricatures—has been correctly engrossed, and is now in the hands of the committee for enrollment.

RICKARD, Chairman.

Assembly Bill No. 400 ordered to enrollment.

WAYS AND MEANS APPROPRIATION BILLS FILE.

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Passed on file.

Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Bliss, Blood, Boone, Boynton, Brooke, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Dibble, Feliz, Glenn, Griffin, Hoey, Johnson, Kelley, Knowland, La Barea, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—47.

NOES—None

Title read and approved.

Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1873.

Mr. Dibble moved that the bill be returned to the third-reading file, from whence it was taken.

So ordered.

Assembly Bill No. 272—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Burnett, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Dibble, Glenn, Hoey, Johnson, Kelley, Knowland, La Barea, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Read third time.

Mr. Johnson moved that a select committee of one be appointed to amend Assembly Bill No. 668 as follows:

Strike out the word "purposes," Section 6, line 5, page 2, amended printed bill, and insert in lieu thereof the word "purpose."

Also: Strike out the words "purposes are," Section 6, line 20, page 3, amended printed bill, and insert in lieu thereof the words "purpose is."

Also: Insert after the word "examiners," Section 8, line 6, page 3, amended printed bill, the following: "The appropriation herein made shall be available from and after the first day of January, A. D. 1900"

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 668—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Assembly Bill No. 668 ordered to print and reengrossment.

Assembly Bill No. 622—An Act to amend an Act entitled "An Act to appropriate money for the support of orphans, half-orphans, and abandoned children," approved March 25, 1880.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Feliz, Glenn, Hoey, Johnson, Kelley, Knowland, La Bree, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Muller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—52.

NOES—None

Title read and approved.

LEAVE OF ABSENCE.

Mr. Crowder was granted leave of absence, on motion of Mr. Works.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 282—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

Mr. Dale moved that this bill be stricken from the files, and referred to Committee on Ways and Means.

So ordered.

Assembly Bill No. 690 (Substitute for Assembly Bills Nos. 290 and 350)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowley, Dale, Dibble, Dunlap, Glenn, Greenwell, Huber, Johnson, Kelley, Knowland, La Bree, Lardner, Marvin, McDonald of San Francisco, McKeen, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, Works, Wright, and Mr. Speaker—47.

NOES—Messrs. Melick and Wade—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No 400—An Act to add a new section to the Penal Code, to be known as Section 258, relating to the publication of portraits and caricatures—and was presented to the Governor on February 23, 1899, at eight o'clock and thirty-five minutes P. M.

RICKARD, Chairman.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

Mr. Valentine moved that a select committee of one be appointed to amend Assembly Bill No. 105 as follows:

Strike out of line 4, Section 1, printed bill, the words "sixty days," and insert in lieu thereof the words "one year."

Also: In line 5 of Section 2, after the word "correct" insert the words "and valid."

Also: In line 7 of Section 2, after the word "correct" insert the words "and valid."

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee.

Assembly Bill No. 105 ordered to print, engrossment, and third reading.

Assembly Bill No. 208—An Act to regulate and improve the civil service of the State of California, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Blood, Brooke, Burnett, Caminetti, Conrey, Dale, Glenn, Huber, Johnson, Mead, Melick, Robinson, Valentine, Wardell, Works, and Wright—16

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boone, Boynton, Cargill, Clough, Cobb, Crowley, Devoto, Dibble, Dunlap, Feliz, Greenwell, Hoey, Kelley, Knowland, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Wade, and Mr. Speaker—37.

Assembly Bill No. 77—An Act to pay the claim of Thomas Grace against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Blood, Brooke, Burnett, Caminetti, Cowan, Devoto, Greenwell, Hoey, Johnson, Kelley, Knowland, Lardner, McDonald of Alameda, McKeen, Merrill, Raub, Eugene Sullivan, Works, and Mr. Speaker—19.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boynton, Cargill, Clough, Dale, Feliz, Marvin, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, E. D. Sullivan, Valentine, Wade, and Wright—22.

Assembly Bill No. 78—An Act to pay the claim of the Methodist

Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 736.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 736 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California—and do now report the same back, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

The following committee amendment was submitted:

Amend by striking out all of Section 3 and inserting in lieu thereof the following:
"SEC 3 This Act shall take effect January 1, 1900."

Assembly Bill No. 736 ordered to print, engrossment, and third reading.
Mr. Cobb moved that the Assembly do now take up Senate messages.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

F J BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 22, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to pass Assembly Bill No. 32—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

Also: Passed Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Adopted Senate Concurrent Resolution No. 9—Relative to the suspension of Joint Rule XXXVI

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read first time, and referred to Committee on Judiciary.

Senate Concurrent Resolution No. 9—Relative to the suspension of Joint Rule XXXVI.

Read, and ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants—and respectfully ask the concurrence of your honorable body in said amendments

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read first time, and ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate herewith returns to you Assembly Bill No. 108—An Act to provide for the purchase of a portrait of ex-Governor James H. Budd, by the State Board of Examiners, and to appropriate money therefor—an identical Senate bill (No. 109) having been passed by both Senate and Assembly, and delivered to the Governor and approved by him on February 10, 1899.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following bills.

Senate Bill No. 324—An Act appropriating \$10,000 to pay the claim of Addie McGinness

Also: Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Also: Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 354—An Act to amend Section 1 of "An Act to authorize State agricultural societies under control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto

Also: Senate Bill No. 444—An Act in relation to municipal elections where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters or upon amendments to existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Also: Senate Bill No. 215—An Act for the relief of Julius A. Holt, a private in Company C, Second Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 324—An Act appropriating ten thousand dollars (\$10,000) to pay the claim of Addie McGinness.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Read first time, and referred to Committee on Commissions and Public Expenditures.

Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 354—An Act to amend Section 1 of "An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 444—An Act in relation to municipal elections, where the same are held separate from general State elections and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote on proposed charters or upon amendments to existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Read first time, and referred to Committee on Election Laws.

Senate Bill No. 215—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read first time, and referred to Committee on Claims.

MOTION.

Mr. Cobb moved that Senate Bill No. 444 be substituted for Assembly Bill No. 559 (No. 7 on to-day's file), said bills being identical.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boynton, Brooke, Burnett, Cannetti, Cargill, Clough, Cobb, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Feliz, Hocy, Huber, Johnson, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—43.

NOES—Mr. Boone—1.

Title read and approved.

MESSAGE FROM THE GOVERNOR.

Mr. Wright moved that the Assembly do now take up message from the Governor.

So ordered.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 23, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 400.

HENRY T. GAGE,
Governor of the State of California.

ADJOURNMENT.

At ten o'clock and five minutes P. M., on motion of Mr. Lardner, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, February 24, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 24, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

Mr. Clarke was granted leave of absence until Monday, on motion of Mr. Kelsey.

Leave of absence was granted Mr. Brown for the day, on motion of Mr. Beecher.

Mr. Kelsey was granted leave of absence for the rest of the day, on motion of Mr. Knowland.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Kelsey.

The Journal of Wednesday, February 22, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 951—An Act to enable all counties, incorporated towns, or cities, or consolidated cities and counties of this State, to use automatic voting or ballot machines at all elections therein—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to Assembly Committee on Manufactures and Internal Improvements.

Also: Assembly Bill No. 935—An Act relating to boards of election and their compensation—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

Also: Assembly Bill No. 551—An Act to create a commission for the purpose of examining, testing at actual elections by public trial, and purchase of voting machines, and reporting to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation: providing for punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions relative to voting by machine instead of by ballot, and appropriating money for expenses, salaries, rents, advertising, employments, purchases, etc., accruing by reason of the powers conferred upon the commission—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

BELSHAW, Chairman.

Assembly Bill No. 951 referred to Committee on Manufactures and Internal Improvements.

Assembly Bills No. 935 and 551 ordered on second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Judiciary having had under consideration Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, etc.—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 262—An Act providing for the abandonment of operations by irrigating districts, and for the disorganization of the same upon the discharge of their obligations, and for the sale of the property belonging to the same for the purpose of discharging any outstanding obligations—report the same back without recommendation.

Also: Assembly Bill No. 701—An Act to provide for the place of holding office by State officers—report the same back with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 311—An Act to ascertain the amount and provide for the payment of damages to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased; Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondoro, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1878—report the same back, and recommend that it do not pass, as it is unconstitutional.

Also: Assembly Bill No. 947—An Act to amend Sections 3086 to 3262 (both inclusive) of the Civil Code, relating to negotiable instruments.

Also: Assembly Bill No. 460—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Also: Assembly Bill No. 527—An Act authorizing the Boards of Supervisors of all

counties in this State to refund the indebtedness of said county, to issue bonds therefor, and to provide for the payment of the same.

Report the same back, and recommend that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 839, 262, 701, 311, 947, 460, and 527 ordered on second-reading file.

Mr. Dibble moved that Assembly Bill No. 839 be placed on the special file.

So ordered.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that Assembly Bill No. 687—An Act to revise, amend, and reenact an Act entitled "An Act to establish a Civil Code," approved March 21, 1872—has been correctly engrossed.

RICKARD, Chairman.

SPECIAL ORDERS.

Assembly Joint Resolution No. 23—Relative to preparing a memorial to the Legislatures of the several States requesting a petition to Congress for amendments to the National Constitution providing for the election of United States Senators by direct vote of the people.

The following amendment was submitted by Mr. McDonald of Alameda:

Amend by striking out all of lines 7 and 8, on page 2 of printed resolution, beginning with the word "in," in line 7, and ending with the word "demand," and inserting in lieu thereof the words "relative to the election of United States Senator."

Amendment adopted.

Assembly Joint Resolution No. 24—Relative to preparing an application to the Congress of the United States to call a convention for submitting amendments to the National Constitution concerning the election of Senators of the United States by direct vote of the people.

The following amendment was submitted by Mr. McDonald of Alameda:

Amend by striking out all of lines 7 and 8 on page 2 of printed resolution, beginning with the word "in," on line 7, and ending with the word "demand," and inserting in lieu thereof the words "relative to the election of United States Senator."

Amendment adopted.

Mr. Caminetti moved that the resolutions, as amended, be made special order for to-morrow morning.

So ordered.

Assembly Bill No. 718 withdrawn by the author.

MOTIONS.

Mr. Dibble moved a reconsideration of the order whereby Assembly Bill No. 839 was ordered on special file, and for it to resume the place upon second-reading file from which it was taken.

So ordered.

Mr. Valentine moved that Assembly Bills Nos. 911, 912, 647, 551, and 509 be made special order for to-day at three o'clock and thirty minutes P. M.

So ordered.

Mr. White moved that the Assembly do now reconsider the vote whereby Assembly Bill No. 118 was indefinitely postponed on yesterday.

So ordered.

The question being on the motion to reconsider.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES— Messrs. Barry, Belshaw, Bliss, Caminetti, Cobb, Dibble, Dunlap, Hanley, Hoey, Johnson, Kelley, Knowland, Lardner, Lundquist, Merrill, Muentner, O'Brien, Eugene Sullivan, Wardell, White, and Wright—21.

NOTES—Messrs. Atherton, Blood, Boone, Clough, Conrey, Crowder, Dale, De Lencie, Fairweather, Glenn, Greenwell, Griffin, Henry, Jilson, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Raub, Robinson, Stewart, Wade, and Works—27

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 24, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate. and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolte—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lencie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, T. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the

Senate to read the Journal of the Joint Assembly of Thursday, February 23, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, February 23, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

- For W. H. L. Barnes*—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Gillette and Taylor—2
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Shortridge, Simpson, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Maggard, Nutt, Smith, and Trout—5
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senator Chapman—1.
For William R. Hearst—Senators Ashe, Braunhart, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—9
For Grove L. Johnson—Senators Cutter and Leavitt—2
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	7 votes.
U. S. Grant, Jr. received.....	5 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	1 vote.
William R. Hearst received.....	9 votes.
Grove L. Johnson received.....	2 votes.
James D. Phelan received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

- For W. H. L. Barnes*—Messrs. Anderson, Atherton, Clough, and Muentner—4.
For M. M. Este—Mr Wade—1.
For R. N. Bulla—Messrs Belshaw, Boynton, Cosper, and Miller of Los Angeles—4.
For D. M. Burns—Messrs Arnerich, Barry, Beecher, Cobb, Jilson, Johnson, Kelley, Kelsey Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—14.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Crowder, Dale, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merritt, Milce, Radcliff, Raw, and Works—15
For Irving M. Scott—Mr. Dunlap—1.
For John Rosenfeld—Mr. Crowley—1
For Thomas R. Bard—Mr. Greenwell—1.
For William R. Hearst—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Fairweather, Felz, Glenn, Griffin, Hanley, Hoey, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.
For Grove L. Johnson—Messrs. De Lancie, Dibble, Henry, Knights, Knowland, La Bree, Lardner, Merrill, Miller of San Francisco, Raub, Robinson, and Valentine—12.

Whole number of votes cast by Assemblymen.....	72
W. H. L. Barnes received.....	4 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	4 votes.
D. M. Burns received.....	14 votes.
U. S. Grant, Jr., received.....	15 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Thomas R. Bard received.....	1 vote.
William R. Hearst received.....	19 votes.
Grove L. Johnson received.....	12 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	107
Necessary to a choice.....	54
W. H. L. Barnes received.....	8 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	6 votes.
D. M. Burns received.....	21 votes.
U. S. Grant, Jr., received.....	20 votes.
Thomas R. Bard received.....	3 votes.
Irving M. Scott received.....	2 votes.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	1 vote.
William R. Hearst received.....	28 votes.
Grove L. Johnson received.....	14 votes.
James D. Phelan received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and ordered another ballot.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Maggard, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	6 votes.
Thomas R. Bard received.....	2 votes.
Irving M. Scott received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
James D. Phelan received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

For *W. H. L. Barnes*—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muenther—7.

For *M. M. Estee*—Mr. Wade—1.

For *R. N. Bulla*—Messrs. Belshaw, Boynton, Conrey, Cosper, La Barea, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For *D. M. Burns*—Messrs. Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Lundquist, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—16.

For *U. S. Grant, Jr.*—Messrs. Bliss, Blood, Cargill, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.

For *Irving M. Scott*—Mr. Dunlap—1.

For *Marion De Vries*—Mr. Brooke—1.

For *Stephen M. White*—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

For *John Rosenfeld*—Mr. Crowley—1.

For *James D. Phelan*—Messrs. Burnett and Hoey—2.

For *Thomas R. Bard*—Mr. Greenwell—1.

Whole number of votes cast by Assembly men.....	73
W. H. L. Barnes received	7 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	16 votes.
U. S. Grant, Jr., received	18 votes
Irving M. Scott received	1 vote
Marion De Vries received	1 vote.
Stephen M. White received	16 votes.
John Rosenfeld received	1 vote
James D. Phelan received	2 votes.
Thomas R. Bard received	1 vote

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	108
Necessary to a choice	55
W. H. L. Barnes received	11 votes
M. M. Estee received	1 vote
R. N. Bulla received	11 votes
D. M. Burns received	24 votes.
U. S. Grant, Jr., received	24 votes.
Thomas R. Bard received	3 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote
John Rosenfeld received	2 votes
Stephen M. White received	26 votes
James D. Phelan received	3 votes

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and forty minutes P. M., Assemblyman Dibble moved to adjourn until Saturday at twelve o'clock M.

Motion carried.

Whereupon the President pro. tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, February 25, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and forty-two minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Anderson in the chair.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 308, 246, 113, 940, 25, and 158.

Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V of the Political Code, relating to the State Library.

Assembly Bill No. 246—An Act providing for the establishment and maintenance of sewer districts adjacent to municipal corporations.

Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

Assembly Bill No. 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Assembly Bill No. 25—An Act to amend Section 1536 of the Penal Code, relating to the disposition of property taken on a search warrant.

Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

And were presented to the Governor February 24, 1899, at eleven o'clock and thirty minutes A. M.

RICKARD, Chairman.

RESOLUTIONS.

By Mr. Melick:

Resolved, That the Controller is hereby directed to draw warrants in favor of the following persons, for services as committee clerks in the Assembly, as follows: For \$18, in favor of Frank Storer, for services from January 19 to February 1, 1899; for \$20, in favor of M. H. Dunn, from January 27 to February 1, 1899; for \$52, in favor of Miss M. Peterson, from January 19 to February 1, 1899; for \$56, in favor of Lloyd Childs, from January 18 to February 1, 1899, for \$40, in favor of Clyde Alvord, from January 22 to February 1, 1899.

Also: In favor of Charles Prince for \$72, for his services as Porter in the Assembly galleries and committee rooms, from January 9 to February 1, 1899.

Also: In favor of Ralph Schleur for \$45, for services as Page from January 13 to February 1, 1899.

Also: In favor of Emmet Rhodes for \$45, for services as Page from January 13 to February 1, 1899.

Also: In favor of William C. Guirey as assistant clerk at the desk from February 7 to February 17, 1899, for \$66.

Also: In favor of Ed J. Smith, as assistant clerk at the desk from February 7 to February 17, 1899, for \$66.

And the State Treasurer is hereby directed to pay said warrants out of the appropriation for the contingent expenses of the Assembly.

The following amendment was submitted by Mr. Wade:

Resolved, That for and by reason of services rendered the Assembly by John Kofod as a Porter and Assistant to Sergeant-at-Arms, from January 2, 1899, to February 23, 1899, at \$3 per day, that the Controller is hereby directed to draw his warrant in favor of said John Kofod for the sum of \$159, and the State Treasurer is hereby authorized to pay the same out of the Contingent Fund of the Assembly.

Amendment adopted.

The following amendment was submitted by Mr. Miller of Los Angeles:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Jesse R. Dorsey, in the sum of \$39, for services as Porter from February 1, 1899, to February 13, 1899, and the State Treasurer is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

Amendment adopted.

The question now recurring on the adoption of the resolution as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—67.

NOES—None.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Passed on file.

Senate Bill No. 10 (Substituted for Assembly Bill No. 146)—An Act to amend Sections 3, 4, 5, 6, 7, 8, and 9 of an Act entitled "An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands," approved April 15, 1880, as amended by an Act entitled "An Act to amend Sections 2, 3, 5, 6, 7, and 9 of an Act entitled an Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands," approved April 15, 1880; approved March 19, 1889.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barry, Blood, Boone, Brooke, Burnett, Caminetti, Cobb, Conrey, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Feliz, Griffin, Jilson, Johnson, Knights, Knowland, La Bree, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen,

Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, E. D. Sullivan, Wade, Wardell, Works, and Mr. Speaker—41.
NAYS—Mr. Hoey—1.

Title read and approved.

Senate Bill No. 369 (Substituted for Assembly Bill No. 507)—An Act to amend Section 1880 of the Political Code of the State of California, relating to the issue of bonds of school districts.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Blood, Boone, Brooke, Burnett, Caminetti, Cobb, Conrey, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Feliz, Griffin, Henry, Hoey, Jilson, Johnson, Knights, Knowland, La Barea, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, E. D. Sullivan, Wade, Works, and Mr. Speaker—41.

NAYS—None.

Title read and approved.

Senate Bill No. 246—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

Passed on file.

Senate Bill No. 94—An Act to amend Section 427 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to how funds of insurance companies may be invested.

Mr. Conrey moved that consideration of Senate Bill No. 94 be indefinitely postponed.

So ordered.

Senate Bill No. 326 (Substituted for Assembly Bill No. 340)—An Act to amend the title to an Act entitled "An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund," to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for money heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes, and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893," approved March 3, 1893, to amend Section 4 of the same Act, and to appropriate the sum of \$16,747 50 now in the University Fund and unavailable.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Blood, Boone, Brooke, Burnett, Cobb, Conrey, Cowan, Crowder, Dale, De Lancie, Dibble, Feliz, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, E. D. Sullivan, Wade, Wardell, Works, and Mr. Speaker—47.

NAYS—None.

Title read and approved.

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the

State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Passed on file.

Senate Bill No. 444 (Substituted for Assembly Bill No. 559)—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote on proposed charters, or upon amendments to existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 5—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of its proceeds,' approved March 23, 1893," approved March 9, 1897.

Read second time.

The following amendments were submitted:

Strike out the word and figure "Sec. 2," in line 1 of Section 2, page 2 of printed bill.

Amendment lost.

Amend Section 1 by adding the following after the end of said Section 1, on line 45, page 2 of printed bill: "*and provided further*, that the provisions of this Act shall also apply to all estates now in course of administration."

Amendment lost.

By Mr. Melick:

Amend Section 1, line 45, by inserting after the word "tax," the following words: "*and provided further*, that where by bequest, grant, or gift, the interest upon or the income from any property in this State shall pass to any person for his or her support or maintenance, and the amount or value of such interest or income does not exceed \$500 for one year, the same shall not be subject to such duty or tax."

Amendment lost.

Senate Bill No. 5 ordered to print and third reading.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 93—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3748 of the Political Code, relating to revenue and taxation.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary

Senate Bill No. 93—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 3748, 3758, and 3759 of said Political Code, and by repealing Section 3762 of said Code, all relating to revenue and taxation.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 536—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration

Also: Senate Bill No. 362—An Act to establish a camp of instruction for the National Guard of the State of California, and to authorize the acquisition, by donation, of a site for the same.

Also: Senate Bill No. 182—An Act authorizing municipalities of less than the first class to obtain, by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Boards of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Also: Senate Bill No. 146—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rate of interest.

Also: Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

F. J. BLANDON, Secretary of Senate.

By E. W. MICHAELS, Assistant Secretary

Senate Bill No. 536—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

Read first time, and referred to Committee on Election Laws.

Senate Bill No. 182—An Act authorizing cities and towns of the sixth class to obtain, by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Boards of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 146—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rates of interest.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

Read first time, and referred to Committee on Agriculture.

Assembly Bill No. 412 withdrawn by author, and Senate Bill No. 362 ordered on Senate special file, they being identical bills.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 156—An Act for the protection of horticulture, and to prevent the introduction into this State of insects, or diseases, or animals injurious to fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Also: Adopted Senate Joint Resolution No. 17—Relative to the mineral lands within the railroad land grants in California, and the segregation and reservation of such mineral lands.

Also: Passed Senate Bill No. 273—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Also: Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 14, 1885.

Also: Senate Bill No. 165—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appoint-

ment of a secretary, attorney, chief engineer, chief wharfinger, collector, and other employes, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board, or employes, a misdemeanor, and providing a penalty of a fine not to exceed \$300 or imprisonment not exceeding one hundred days as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided, and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger, or other employe of the board, a statement of the quality of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100 or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive, or allow to be received, on such vessel or car, any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment, and providing that the Attorney-General shall furnish advice to the board when required.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 156—An Act for the protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Ordered to enrollment.

Senate Joint Resolution No. 17—Relative to the mineral lands within the railroad land grants of California and the segregation and reservation of said mineral lands.

Read, and referred to Committee on Federal Relations.

Senate Bill No. 273—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds, or more, in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 22—An Act to create the harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collector, and other employes, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation

thereto; and making the disobedience of the rules and regulations of the board, or employes, a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger, or other employes of the board, a statement of the quality of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car, any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 26 withdrawn by author.

Senate Bill No. 165—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

To take its place on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 7—An Act for the relief of John Mullan, and to appropriate money therefor

Also. Respectfully refused to concur in Assembly amendments to Senate Bill No. 96—An Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class—and requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Taylor, Bulla, and Chapman as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Rickard moved that the Assembly do now take up Senate Bill No. 165 for consideration.

So ordered.

Senate Bill No. 165—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Read first time.

The following amendment was submitted by Mr. Rickard:

Amend by striking out of Section 4, line 2, the words "its passage," and inserting the following: "the first day of January, nineteen hundred."

Amendment adopted.

Senate Bill No. 165 ordered to print and second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 229—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for—have had the same under consideration, and report the same back and recommend that it do pass.

Also: Assembly Bill No. 967—An Act to prevent the sale of more than one line of merchandise under one roof known as department stores, in any municipal corporation—have had the same under consideration, and report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 964—An Act to provide for the redemption of lands sold for delinquent assessment for public work in municipalities, and to define the rights and duties of purchasers and delinquent property owners in such cases—have had the same under consideration, and report the same back, and recommend that it be referred to Committee on Judiciary.

RAW, Chairman

Senate Bill No. 229 and Assembly Bill No. 967 ordered on second-reading file.

Assembly Bill No. 964 re-referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Mr. Dibble:

Resolved, That Jesse R. Dorsey be appointed Assistant Mail Carrier, at a salary of \$3 per day, to date from February 13, 1899, and that he be paid out of the fund for the contingent expenses of the Assembly.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Barry, Blood, Boynton, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Crowder, Dale, Dibble, Griffin, Hanley, Henry, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Pacheluf, Raub, Raw, Rickard, Robinson, Sanford, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—50.
NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 959—An Act to appropriate the sum of \$183 55 to pay the claim of Morris Brooke—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 924—An Act appropriating \$300 to pay the claim of C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Also: Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended, and that they be referred to Committee on Ways and Means.

WILLIAM McDONALD, Chairman.

Assembly Bills Nos. 959 and 924, and Senate Bill No. 75, re-referred to Committee on Ways and Means.

SPECIAL ORDER.

Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State, etc.

Read second time, ordered to engrossment and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 755 and 942.

Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Also: That the following bills have been correctly reengrossed: Assembly Bills Nos. 559, 691, 652, 309, and 509.

Assembly Bill No. 559—An Act in relation to municipal elections, where the same are held separate from general State elections, and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon existing charters, and to repeal an Act entitled "An Act in relation to elections, held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act entitled "An Act to prevent the sale of raw material, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags and broken stone, and materials for State and county roads only, and articles consumed in the State institutions.

Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic book cases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Also: That the following bill has been correctly engrossed: Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto"—and is now in the hands of the committee for enrollment.

RICKARD, Chairman.

MOTION.

Mr. McDonald of Alameda moved that Senate Bill No. 215 and Assembly Bills Nos. 981, 982, 983, and 984 be re-referred to Committee on Ways and Means.

So ordered.

UNFINISHED BUSINESS.

Consideration of Governor's veto to Assembly Bill No. 157—An Act to prevent the shipment of infected fruits out of the State of California.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the Governor's objections sustained by the following vote:

AYES—Mr. Melick—1.

NOES—Messrs Arnerich, Barry, Blood, Boynton, Burnett, Cargill, Clough, Cosper, Crowder, Crowley, Dale, Dibble, Felz, Griffin, Hanley, Hoey, Huber, Knowland, La Barce, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Pierce, Raub, Raw, Sanford, E. D. Sullivan, Wade, Works, White, and Mr. Speaker—41.

Consideration of Governor's veto to Assembly Bill No. 84—An Act to provide for a lunch hour for laborers in sawmills, shingle-mills, shake-mills, and logging camps.

Mr. Sanford moved that further consideration of the Governor's veto to Assembly Bill No. 84 be indefinitely postponed.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 815—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

BELSHAW, Chairman

Assembly Bill No. 815 ordered to engrossment and third-reading.

UNFINISHED BUSINESS—(RESUMED).

Consideration of Governor's veto to Assembly Bill No. 23—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

The question being, "Shall the bill become a law notwithstanding the objection of the Governor?"

The roll was called, and the Governor's objections sustained by the following vote:

AYES—None.

NOES—Messrs. Arnerich, Barry, Belshaw, Blood, Boone, Boynton, Chynoweth, Clough, Conrey, Cosper, Crowder, Crowley, Dale, Dibble, Dunlap, Hoey, Huber, Jilson, Kelley, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, E. D. Sullivan, Wade, White, Works, and Wright—46.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Mr. Cargill having moved that permission be granted by the Assembly to introduce the accompanying bill—An Act to create and regulate public warehouses

Also: An Act to permit asexualization of inmates of the State Hospitals and the California Home for the Care and Training of Feeble-Minded Children.

Your committee herewith return the same, with the recommendation that the authors be permitted to introduce them. The numbers of said bills are 994 and 995.

COBB, Chairman.

The question being, "Shall the constitutional provision relating to introduction of bills be suspended and Assembly Bills Nos. 994 and 995 allowed to be introduced?"

The roll was called, and the bills allowed introduction by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Blood, Boone, Boynton, Burnett, Camunetti, Chynoweth, Clough, Cobb, Conrey, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—56

NOES—None.

INTRODUCTION OF BILLS.

By Committee on State Hospitals and Asylums: Assembly Bill No. 994—An Act to permit the asexualization of inmates of the State Hospitals and the California Home for the Care and Training of Feeble-Minded Children.

Read first time, and ordered on second-reading file.

By Mr. Cargill: Assembly Bill No. 995—An Act to create and regulate public warehouses.

Read first time, and referred to Committee on Commerce and Navigation.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly enrolled: Assembly Joint Resolution No. 10—Relative to proposing to the State of California the repeal of Section 12 of Article XIII of the Constitution of the State of California, relative to the levy and collection of an annual poll-tax—and was presented to the Governor February 24, 1899, at three o'clock and twenty-five minutes P. M.

RICKARD, Chairman.

COMMUNICATION.

In re Milton J. Green, contempt proceedings.

OAKLAND, February 23, 1899.

To the Honorable Assembly of the State of California

I have advised Mr. Green that it would be unwise for him to go to Sacramento on Friday in his present condition of health. He is improving daily and gaining in strength. I feel confident that he will be able to be present in Sacramento within a week if no backset occurs.

S. E. KELLY, M.D.

Mr. Belshaw moved that the matter of the contempt proceedings *in re* Milton J. Green be continued until Friday, March 3, 1899, and be made a special order for three o'clock and thirty minutes P. M. of that day.

So ordered.

MOTION TO RECONSIDER.

Mr. Wright moved a reconsideration of the vote whereby Senate Bill No. 127 was on yesterday refused final passage.

So ordered.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Blood, Boone, Boynton, Caminetti, Chynoweth, Clough, Cobb, Conrey, Crowder, Crowley, Dale, De Lencie, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hauley, Henry, Hoey, Jilson, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raw, Rickard, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—53.

NOES—None.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Mr. Wright moved that a select committee of one be appointed to amend the title of Senate Bill No. 127 so as to read as follows:

"An Act to repeal an Act entitled 'An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes,' approved February 23, 1893."

Also: Amend by striking out in line 11 of Section 1 of printed bill the word "seventy," and inserting in lieu thereof the word "seventy."

Also: By striking out the words "the first Monday in May, 1893," where they occur in lines 1 and 2 of Section 3, page 1, printed bill, and inserting in lieu thereof the words "its passage."

So ordered.

Mr. Wright was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

WRIGHT, Committee.

Report of committee adopted.

Senate Bill No. 127 ordered to print and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR SPEAKER: The sub-committee of the Committee on Public Buildings and Grounds, consisting of Messrs. Boone, Knights, Hanley, and Milce, beg leave to report as follows:

That they visited the State Normal School at San Diego. The building for said school is situated on a beautiful site, consisting of seventeen acres of level land, which was donated to the State.

Said site is considerably above the city and the surrounding country, and a splendid view of the city and bay can be had from any portion of the same.

The building now in course of construction is 104x108 feet, and will cost \$30,000. When completed it will be very substantial, as well as ornamental. To make the set of buildings complete will require two wings, costing, say, \$35,000 each; but for present necessary purposes we believe one wing will be sufficient, and therefore recommend an appropriation of \$45,000 for building and furnishing same.

We also visited the State Normal School at Los Angeles, and found the building substantial and in good order, located upon a beautiful site in the heart of Los Angeles. Some of the classrooms are not properly or adequately lighted, and we recommend an appropriation of \$5,000 for repairs such as will give more light in said classrooms. The gymnasium could be moved, and additional classrooms made to great advantage; but we believe that it is not absolutely necessary at the present time. The library-room is small and inadequate, but can be made to serve the purpose for the present, and we believe that no appropriation should be made now for constructing a library building.

We also visited the State Reform School at Whittier, and found there a set of good, substantial buildings, with good farming lands surrounding them. The water supply for said institution is inadequate, uncertain, and expensive, and something should be done to relieve this deplorable condition. The management are asking for \$25,000 for developing and storing water; but, upon inquiring of the Superintendent, we were unable to ascertain the probable cost of necessary improvements for water supply, in fact, there seems to have been no itemized estimate made for this purpose.

We recommend that \$5,000 be appropriated for the purpose of developing the water supply, thinking that said sum can be used to advantage. We found that additional buildings could be used to advantage, and that the trades building is not in first-class condition, but in our judgment can by slight repairs be made absolutely safe, and we believe that only such sum as is actually necessary for repairs should be granted for trades building.

A hospital building is very necessary, and we believe that an appropriation of \$5,000 should be made for the construction of a building for hospital purposes.

BOONE, Acting Chairman.

SPECIAL ORDER.

Mr. Belshaw moved that Assembly Bills Nos. 911, 912, 647, 551, 12, and 509, that were made a special order for this hour, be now taken up.
So ordered.

Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto, numbered 1166½, relating to the organization of committees to represent political parties at primary elections.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Blood, Boone, Boynton, Burnett, Caminetti, Chynoweth, Clough, Cobb, Conrey, Crowder, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Henry, Jilson, Johnson, Knights, Knowland, La Barea, Le Baron,

Marvin, McDonald of Alameda, McDonald of Tuolumne, Melick, Merrill, Merritt, Miller of Los Angeles, Pierce, Raub, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 912—An Act to provide for the payment of advertising the constitutional amendments by the Vacaville Reporter, and making an appropriation therefor.

Passed to foot of file.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Passed to foot of file.

Assembly Bill No. 551—An Act to create a commission for the purpose of examining and testing, at actual elections, by public trial and purchase, of voting machines, and reporting to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation; providing for punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions, relative to voting by machine instead of by ballot, and appropriating money for expenses and salaries, rents, advertising, employment, purchases, etc., accruing by reason of the powers conferred upon the commission.

Read second time, and referred to Committee on Ways and Means, to take its place on special file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

Passed to foot of file.

Assembly Bill No. 509—An Act providing for the maintenance of a mansion for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said mansion, and providing for the number and the salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Boone, Boynton, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Crowder, Crowley, Dale, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Jilson, Johnson, Kelley, Knights, Knowland, La Barge, Lardner, Marvin, McKeen, Melick, Merritt, Mihce, Miller of Los Angeles, Pierce, Raub, Raw, Robinson, Sanford, Valentine, Wade, Wardell, Works, and Mr. Speaker—44.

NOES—Messrs. Hoey, Le Baron, O'Brien, E. D. Sullivan, and White—5.

Title read and approved.

Mr. Speaker presented a report of the Commission for the Purpose of Examining, Testing, and Investigating Voting Machines to the Senate and Assembly.

Mr. Dunlap moved that the report be sent to printer, to be printed in pamphlet form for distribution among the members.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 942—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known as and numbered 308, relating to the printing of legislative bills—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

KELLEY, Chairman.

Assembly Bill No. 942 ordered to engrossment and second reading.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 873—An Act defining the duties of certain officers of the Assembly in the assignment of seats to members thereof—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 711—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Also: Assembly Bill No. 933—An Act making an appropriation of \$15,000 for opening and constructing a bitumen street, granite curbs, and cement sidewalks through Capitol Park, on Thirteenth street, from L to N streets.

Also: Assembly Bill No. 943—An Act to establish a restaurant and barber shop, with baths attached thereto, in the basement of the State Capitol building at Sacramento, and appropriating the sum of \$5,000 therefor.

Also: Assembly Bill No. 708—An Act authorizing and empowering the Board of State Capitol Commissioners to appoint six additional laborers for the Capitol grounds, in addition to the number now allowed by law, and fixing the compensation of such additional employes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CHYNOWETH, Chairman.

Assembly Bills Nos. 873, 711, 933, 943, and 708 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 675—An Act fixing a bounty on coyote scalps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 675 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Assembly Bill No. 248 ordered to engrossment and third reading.

MOTIONS.

Mr. Dibble moved that Senate Concurrent Resolution No. 9 (407 on file) be passed as unfinished business.

So ordered.

Mr. Clough moved to reconsider the vote whereby Assembly Bill No. 435 was to be reconsidered to-day.

So ordered.

Mr. Clough moved that the motion to reconsider Assembly Bill No. 435 be laid on the table.

So ordered.

LEAVE OF ABSENCE.

Mr. Feliz was excused for the rest of the day, on motion of Mr. Hoey.

MOTIONS.

Mr. Valentine moved that Assembly Bills Nos. 435 and 911 be immediately transmitted to the Senate.

So ordered.

Mr. Caminetti moved that further consideration of Senate amendments to Assembly Bill No. 24 be made special order for one week from to-day.

So ordered.

SPECIAL FILE.

Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury, a felony.

Passed on file.

Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by various State institutions, commissions, and officers, and directing the disposition of the same.

Passed on file.

Assembly Bill No. 874—An Act making an appropriation to purchase a safe or provide an inner vault in the vault of the State Treasury, to be used in counting money in the State Treasury.

Mr. Caminetti moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 874.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 874 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 874—An Act making an appropriation to purchase a safe or provide an inner

vault in the vault of the State Treasury, to be used in counting money in the State Treasury—and do now report the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

The following committee amendments were submitted:

Amend by inserting the words "fifteen hundred," on line 1, Section 2, page 1, printed bill, after the word "of."

Amendment adopted.

Also: Amend by striking out of title the word "a," after the word "appropriation," first line, and inserting the word "to."

Amendment adopted.

Assembly Bill No. 874 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899

MR. SPEAKER: Your Committee on Rules and Regulations report the following temporary rules for the consideration of business on the files, under Standing Rule LXVI:

"The second-reading file shall be taken up for consideration immediately after the conclusion of the Senate special file, on Saturday, February 25, 1899. During the consideration of said business no other business shall be transacted, except by unanimous consent of the House."

"All bills on the special urgency file of Ways and Means appropriation bills, not acted upon at the session of Friday evening, February 24, 1899, shall be placed upon a special urgency file of Ways and Means appropriation bills, and shall be taken up on Monday evening, February 27, 1899, at eight o'clock; and those not then acted upon shall be considered on Tuesday evening, February 28, 1899, at the same hour; and those not then acted upon shall be considered on Wednesday evening, March 1, 1899, at the same hour. The file on Monday evening shall be taken up at the place where the Assembly shall have left off at the session of Friday evening, and the same course shall be taken at the sessions of Tuesday and Wednesday evenings. In making up said file for Monday evening, the File Clerk shall add to the file, in the order in which they shall have been reported back from the Committee on Ways and Means, all appropriation bills reported from the committee on the file, and not on the 'special urgency file of Ways and Means appropriation bills."

"During the consideration of this file on the said evenings, no other business shall be in order, except by unanimous consent."

"Any of said bills not acted upon at the conclusion of the session of Wednesday evening shall be carried on the file as unfinished business, on the file of Ways and Means appropriation bills."

DIBBLE, Chairman

Mr. Dibble moved that the report be printed in the Journal and lay over until to-morrow.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship.

Passed on file.

Assembly Bill No. 925—An Act providing what imprint shall be placed on bills, placards, posters, pamphlets, and other printed matter having reference to an election of any candidate, and providing a punishment for a violation thereof.

Passed on file.

Mr. Mead moved that all constitutional amendments be passed, and to retain their place on file.

So ordered.

Assembly Constitutional Amendment No. 13—Relative to amending Section 12 of Article XIII of the Constitution, relating to poll-tax.

Passed on file.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, viz: to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII, of the Constitution.

Passed on file.

MOTION.

Mr. White moved that Assembly Bills Nos. 954, 955, 956, and 957 be read second time.

So ordered.

Assembly Bill No. 954—An Act to amend Section 144 of the Code of Civil Procedure of the State of California, relating to holidays.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 955—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Read second time.

The following amendment was submitted:

Amend by inserting the words "its passage" at end of Section 2.

Amendment adopted.

Assembly Bill No. 955 ordered to print, engrossment, and third reading.

Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State, etc.

Read second time.

Mr. Caminetti moved that the bill be made special order for to-morrow. So ordered.

Assembly Bill No. 956—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 957—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Read second time, ordered to engrossment and third reading.

RECESS.

At four o'clock and forty minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

MOTIONS.

Mr. Valentine moved that Assembly Rule LXXVI be suspended for the purpose of the introduction of bills.

So ordered.

Mr. Valentine moved that the constitutional provision relative to the introduction of bills after the fiftieth day be suspended for the purpose of introducing the General Appropriation Bill.

The question being on the suspension of the Constitution.

Pending roll call, Mr. Valentine moved a call of the House, seconded by Messrs. Dibble and Wright.

The roll was called, and the following answered to their names:

Messrs. Barry, Boone, Boynton, Brooke, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Dunlap, Greenwell, Hoey, Johnson, Kelley, Knights, Knowland, La Barea, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Milce, Radcliff, Raw, Robinson, Valentine, Wardell, White, Works, and Mr. Speaker—38.

LEAVE OF ABSENCE.

Mr. Dibble moved that Mr. Devoto be excused for the rest of the day.
So ordered.

Mr. Valentine moved that further proceedings under call of the House be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and the Constitution suspended by the following vote:

Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hoey, Huber, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raw, Rickard, Robinson, Sanford, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—54.

INTRODUCTION OF BILL.

By Committee on Ways and Means: Assembly Bill No. 996—An Act making an appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Read first time.

Mr. Valentine moved that the General Appropriation Bill—Assembly Bill No. 996—be placed at head of special file.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis.
Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Clough, Cobb, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Greenwell, Griffin, Hoey, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lundquist, Marvin, McDonald of Alameda, McKeen, Merrill, Meserve, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—45.

NOES—None

Title read and approved.

Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

Read third time.

Mr. Johnson moved that a select committee of one be appointed to amend Assembly Bill No. 618 as follows:

Amend by striking out the word "immediately," in line 1, Section 2, page 1, printed bill, and inserting "January first, nineteen hundred."

So ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company for metallic furniture furnished the Clerk of the Supreme Court at Sacramento—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Assembly Bill No. 618 ordered to print, reengrossment, and third reading.

At nine o'clock and forty-five minutes P. M., the Speaker called Speaker pro tem. Dunlap to the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Valentine:

Resolved, That the State Printer be and he is hereby ordered to print Assembly Bill No. 996 out of order, and return the same as soon as printed to the Committee on Engrossment and Enrollment, and that said committee report the same to the House as soon thereafter as possible.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

Passed on file, but to retain place on file.

Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Passed on file, but to retain place on file.

Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District and the trustees thereof, against the State of California, and making an appropriation therefor.

Passed on file, but to retain place on file.

Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Passed on file, but to retain place on file.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Passed on file, but to retain place on file.

Assembly Bill No. 67—An Act making an appropriation to pay the claim of Clement Bennett for reporting in the case of the Southern Pacific Company vs. the Board of Railroad Commissioners of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Barry, Blood, Boone, Boynton, Burnett, Clough, Cobb, Cowan, Dunlap, Feliz, Griffin, Hoey, Johnson, Kelley, Knights, Knowland, La Bree, Lundquist, Marvin, McDonald of Alameda, McKeen, Merrill, O'Brien, Pierce, Rickard, Valentine, Wardell, Works, Wright, and Mr. Speaker—31.

NOES—Messrs. Brooke, Crowder, Dale, Dibble, Greenwell, Huber, and Miller of Los Angeles—7

No quorum present.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. Miller of Los Angeles, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, February 25, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 25, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—55.

Quorum present.

LEAVE OF ABSENCE.

Mr. Hanley was granted leave of absence for the day, on motion of Mr. E. D. Sullivan.

Mr. Raw was granted leave of absence for forenoon, on motion of Mr. Lardner.

Mr. Brown was granted leave of absence for one day, on motion of Mr. Milice.

Mr. Muentzer was granted leave of absence for to-day and Monday, on motion of Mr. Sanford.

Mr. Miller of San Francisco was granted leave of absence for the day, on motion of Mr. Henry.

Mr. Belshaw was granted leave of absence for the day, on motion of Mr. McDonald of Alameda.

Mr. Griffin was granted leave of absence for the day, on motion of Mr. Milice.

PRAYER.

Prayer by Rev. A. J. Sturtevant, Chaplain of the Senate.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Thursday, February 23, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Committee Substitute for Senate Bills Nos. 58 and 194—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HUBER, Chairman.

Committee Substitute for Senate Bills Nos. 58 and 194 ordered on second-reading file.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 26—Relative to Pacific cable.

Also, Assembly Joint Resolution No. 25—Relative to an appropriation by Congress to pay each of the volunteers at the Philippine Islands the sum of \$60 upon their discharge from the United States service.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

DALF, Chairman.

Assembly Joint Resolutions Nos. 25 and 26 ordered on third-reading file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 8—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, with leave for author to withdraw same.

Also: Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means, with recommendation that it do pass as amended.

Also: Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means, with recommendation that it do pass.

CROWDER, Chairman.

Assembly Bill No. 8 withdrawn by author.

Assembly Bills Nos. 950 and 566 re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Judiciary having had under consideration Assembly Bill No. 50—An Act to amend Section 161 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872—report the same back, with one amendment, and recommends its passage as amended.

Also: Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

Also: Senate Bill No. 354—An Act to amend Section 1 of "An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto.

Also: Senate Bill No 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Also: Assembly Bill No. 327—An Act to amend Sections 1797 and 1798 of the Code of Civil Procedure of the State of California, relating to guardians and wards

Report the same back, with recommendation that they do pass.

Also: Assembly Constitutional Amendment No. 22—Relative to the regulation of charges of telephone companies—report the same back, with recommendation that it be adopted.

Also: Assembly Bill No. 535—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Also: Assembly Bill No. 987—An Act to amend Section 11 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers".

Also: Assembly Bill No. 979—An Act to prohibit treating, and providing a penalty therefor.

Also: Assembly Bill No. 649—An Act to amend subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller

Report the same back, with recommendation that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 50, 327, 535, 987, 979, and 649 ordered on second-reading file.

Assembly Constitutional Amendment No. 22 ordered on third-reading file.

Senate Bills Nos. 53, 354, and 414 ordered on Senate special file.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 962—An Act requiring packers of canned goods to stamp in the tin of one end of each can containing any article of food the year such contents was canned, and fixing penalty for violation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 952—An Act to provide for the appointment of a State Quarantine Officer by the State Board of Health, and to abolish the office of Quarantine Officer to the Board of Health for the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CARGILL, Chairman.

Assembly Bills Nos. 962 and 952 ordered on second-reading file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment, and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor, and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment therefor of a fine of not less than \$100, and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare, faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided, and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger or other employe of the board a statement of the quantity of merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive, or allow to be received, on such vessel or car any such part of its cargo or load; and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment, and providing that the Attorney-General shall furnish advice to the

board when required—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KNOWLAND, Chairman.

Senate Bill No. 22 ordered on Senate special file.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

WHEREAS, Your Committee on Dairies and Dairy Products, having had before it several bills, the authors of which requested a report, and

WHEREAS, Said committee having had no clerk, the committee appointed C. A. Le Baron to act as clerk, which he did from January 15 to to February 1, 1899, the time when a clerk was assigned to said committee; therefore, be it

Resolved, That the Controller be directed to draw his warrant in favor of said C. A. Le Baron for \$72 for such services, it being for eighteen days, including the two dates, at a per diem of \$4.

Have had the same under consideration, and we do find that said work was performed as stated, and that said labor is reasonably worth the sum charged, but that the said C. A. Le Baron was irregularly appointed, and we do therefore respectfully report the same back without recommendation.

Also, the following resolution:

WHEREAS, John C. Wray has faithfully performed the duties of Clerk of the Committee of Investigation from the sixteenth day of January, 1899, to and including the eighteenth day of February, 1899, a period of thirty-four days;

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the said John C. Wray in the sum of \$136, and the Treasurer is hereby authorized and directed to pay the same

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Mr. Lundquist moved that the report of the Committee on Attachés and Employés be printed in the Journal, and go over as special order for Monday.

So ordered.

MOTIONS.

Mr. Valentine moved that Assembly Rule LXXVI be suspended for the purpose of introducing bills.

So ordered.

Mr. Valentine moved that the constitutional provision relative to the introduction of bills after the fiftieth day be suspended for the purpose of introducing bills.

The question being on the suspension of the constitutional provision.

The roll was called.

Pending roll call, Mr. Kelsey moved a call of the House, seconded by Messrs. Valentine and Dibble.

Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

Roll call resumed.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Arnerich, Barry, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Feliz, Greenwell, Henry, Ilsey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, E. D. Sullivan, Valentine, Wardell, White, Works, Wright, and Mr. Speaker—53.

NOES—None.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Ways and Means: Assembly Bill No. 997—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 998—Act to provide for an appropriation for pay of officers and clerks of the Assembly.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAUB, Chairman.

Senate Bill No. 177 ordered on Senate special file.

MOTION.

Mr. Valentine moved to take up for consideration Assembly Bill No. 914 out of order.

So ordered.

Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and prescribing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Boone, Boynton, Brooke, Burnett, Cammetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Fehz, Greenwell, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Radcliff, Raub, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—49.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Valentine:

Resolved, That the State Printer be instructed to immediately print, out of order, and return to the House, Assembly Bills Nos. 997 and 998.

Resolution adopted.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Substitute for Assembly Bill No. 444—An Act to add a new section to the Penal Code, to be known as Section 633½, relating to the appraisement of the estates of deceased persons—and respectfully ask your concurrence therein.

F. J. BRANDON, Secretary of Senate

By E. W. MICHAELIS, Assistant Secretary.

Mr. White moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 444:

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 444

An Act to add a new section to the Penal Code, to be known as Section 653½, relating to the appraisement of the estates of deceased persons.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code, to be known as six hundred and fifty-three and one half, and to read as follows:

653½. Any appraiser, appointed by virtue of section one thousand four hundred and forty-four of the Civil Code of Procedure, who shall accept any fees, reward, or compensation other than that provided for by law, from any executor, administrator, trustee, legatee, next of kin or heir of any decedent, or from any other person, is guilty of a misdemeanor

SEC. 2. This Act shall take effect immediately.

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs Arnerich, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Raub, Sanford, E. D. Sullivan, Wardell, White, Works, and Mr. Speaker—49.

NOES—None

Senate Substitute for Assembly Bill No. 444 adopted, and ordered to engrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 291—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be known and numbered as Section 364 thereof, relating to corporations—and respectfully ask your concurrence in said amendments.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. E. D. Sullivan moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 291:

Amend by inserting the word "to" after the word "California," in line 2, Section 1, page 1, printed bill.

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Greenwell, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—50

NOES—None.

Assembly Bill No. 291 ordered to reengrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 59—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor

Also: Refused to concur in Assembly amendments to Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—and

requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Cutter, Davis, and Sims as a committee of conference on behalf of the Senate, to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Mr. Dibble moved that the Assembly do now refuse to recede, and that a committee of conference be appointed.

So ordered.

Messrs. Cobb, Caminetti, and McDonald of Tuolumne were appointed such conference committee.

Assembly Bill No. 737 withdrawn by author.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 134—An Act adding four new sections to the Political Code of this State, to be numbered, consecutively, Sections 1678, 1679, 1680, and 1681, authorizing school districts managed by Boards of Education or Directors to establish and maintain day schools for the deaf, and authorizing payment therefor from the State Common School Fund.

Also: Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Also: Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements, by the managers of the Napa State Hospital at Napa, and appropriating money therefor.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Mr. Conrey moved that Senate Bill No. 134 be placed on Senate special file.

So ordered.

Committee Substitute for Senate Bill No. 134 ordered on Senate special file.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Ordered to enrollment.

Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam and other improvements by the managers of the Napa State Hospital at Napa, and appropriating money therefor.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Mr. Miller of Los Angeles moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 96:

Amend by striking out of Section 1, line 1, after the figures "1183," and inserting the following:

"1183. Mechanics, material men, contractors, sub-contractors, artisans, architects, machinists, builders, miners, and all furnishing materials to be used in the construction, alteration, addition to, or repair, either in whole or in part, of any building, wharf, bridge, ditch, flume, aqueduct, well, tunnel, fence, machinery, railroad, wagon road, or other structure, shall have a lien upon the property upon which they have bestowed labor or

furnished materials, for the value of such labor done or materials furnished, whether at the instance of the owner or of any other person acting by his authority or under him, as contractor or otherwise; and any person who performs labor in any mining claim or claims, has a lien upon the same and the works owned and used by the owners for reducing the ores from such mining claim or claims, for the work or labor done, or materials furnished by each respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent, and every contractor, sub-contractor, architect, builder, or other person having charge of any mining, or of the construction, alteration, addition to, or repair, either in whole or in part, of any building or other improvement, as aforesaid, shall be held to be the agent of the owner for the purposes of this chapter. In case of a contract for the work between the reputed owner and his contractor, the lien shall extend to the entire contract price, and such contract shall operate as a lien in favor of all persons except the contractor, to the extent of the whole contract price, and after all such liens are satisfied, then as a lien for any balance of the contract price in favor of the contractor.

"All such contracts shall be in writing when the amount agreed to be paid thereunder exceeds one thousand dollars, and shall be subscribed by the parties thereto, and the said contract, or a memorandum thereof, setting forth the names of all the parties to the contract, a description of the property to be affected thereby, together with a statement of the general character of the work to be done, the total amount to be paid thereunder, and the amounts of all partial payments, together with the times when such payments shall be due and payable, shall, before the work is commenced, be filed in the office of the County Recorder of the county, or city and county, where the property is situated, who shall receive one dollar for such filing; otherwise, they shall be wholly void, and no recovery shall be had thereon by either party thereto, and, in such case, the labor done and materials furnished by all persons aforesaid, except the contractor, shall be deemed to have been done and furnished at the personal instance of the owner, and they shall have a lien for the value thereof."

Also Change the word 'or' in the title to the word 'of'

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs Blood, Boone, Boynton, Brooke, Burnett, Caninetti, Chynoweth, Clough, Conrey, Cosper, Cowan, Dale, Dibble, Dunlap, Hoey, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 96 ordered to reengrossment and enrollment.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operation of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Also (engrossed): Assembly Bill No. 925—An Act providing what imprint shall be placed on bills, placards, posters, pamphlets, and other printed matter having reference to an election, or to any candidate, and providing a punishment for a violation thereof.

Also (reengrossed): Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

And are now in the hands of the committee for enrollment.

RICKARD, Chairman

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 24, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day struck out the enacting clause of Assembly Bill No. 399—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by amending Section 10 thereof.

Also: Denied second reading to the following Assembly bills:

Assembly Bill No. 28—An Act to amend Section 1086 of the Code of Civil Procedure, relating to the writ of mandate.

Assembly Bill No. 181—An Act to provide for vacating and closing up any park, plaza, public square, or other public reservation not belonging to the United States or the State of California, and not situated within any municipality.

Assembly Bill No. 358—An Act to amend Section 407 of the Code of Civil Procedure of the State of California, relating to summons.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

MOTION TO RECONSIDER.

Mr. Cobb moved that the vote whereby Assembly Bill No. 528 was ordered to enrollment be reconsidered, and that bill be now taken up for consideration.

So ordered.

Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto.

Mr. Cobb moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 528:

Amend by inserting an enacting clause, as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows"

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Arnerich, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Dale, Dibble, Dunlap, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Valentine, Wade, White, Works, and Mr Speaker—45

NOES—None.

Assembly Bill No. 528 ordered to reëngrossment and enrollment.

Senate Bill No. 96—An Act entitled an Act to amend Section 798 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, concerning the powers of Boards of Education of cities of the fifth class.

Mr. Knowland moved that the Assembly recede from the Assembly amendments.

The question being, "Shall the Assembly recede?"

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs. Blood, Boone, Boynton, Brooke, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Dale, De Lancey, Dibble, Dunlap, Greenwell, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Bree, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Wade, White, and Mr. Speaker—42.

NOES—None.

Senate Bill No. 96 ordered on Senate special file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was

referred Assembly Bill No. 363—An Act to establish a uniform system of county and township governments—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute do pass.

HUBER, Chairman.

Assembly Bill No. 363 ordered on second-reading file.

RESOLUTION.

By Mr. Melick:

Resolved, That the State Printer be instructed to print 500 extra copies of Assembly Bill No. 363, and that the State Printer is ordered to print this bill out of order.

Resolution adopted.

MOTION.

Mr. Johnson moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 25, 1899. }

To the Assembly of the State of California:

I herewith return to your honorable body without my approval, Assembly Bill No 293, with my objections thereto.

The bill attempts to appropriate the large sum of \$11,000 for furnishing and fitting out the offices of the Clerk of the Supreme Court with modern metallic filing and book cases, and such other furniture and fixtures as may be necessary for the transaction of the business of his said office, and leaves to the Clerk the approval of the work and the expenditure of the money.

I object to and disapprove of the expenditure of such a sum, as both unnecessary and extravagant. I further disapprove of the expenditure of any sum of money by the Clerk of the Supreme Court without the submission of the plans to, and the letting of the contract by, the State Board of Examiners, and without the approval of every item of expenditure by said Board of Examiners.

In addition to these objections, the bill is objectionable so far as it calls for an immediate appropriation from the funds of the present year.

HENRY T. GAGE,
Governor of the State of California

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 25, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 308—An Act to amend Sections 2292, 2293, and 2298 of Chapter III, Title V of the Political Code, relating to the State Library.

HENRY T. GAGE,
Governor of the State of California

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 25, 1899. }

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No 940—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

HENRY T. GAGE,
Governor of the State of California

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO February 25, 1899. }

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, and with my objections thereto, Assembly Bill No 158.

I disapprove of this bill because, among other things, there is no limit placed upon the appointing power of the board referred to in Section 18 of the bill; no limit to the expense it may incur; no limit to the price it may pay the persons employed.

Under Section 18 of said Act the board therein referred to has power to commission as quarantine guardians such person or persons as in its judgment may be deemed necessary. No such tremendous power is lodged anywhere in any State officer, and no such unrestricted power should be vested anywhere.

In the haste and confusion incident to the great labor imposed upon your honorable body, and the necessity of rapid legislation, this great oversight has occurred.

There should be some restraint placed upon the number of quarantine guardians, and some restraint placed upon their compensation, otherwise it is in the power of the board referred to in Section 18 to bankrupt the State.

Again, in Section 6, the "quarantine officer" is given power to enter, for the purpose of search, into the private residence of the citizen. It gives such officer "the power to enter into * * * any warehouse, depot, dock, mole, or any other place, within the limits of the State of California," etc.

This clause should be so limited that it could not be contended that the right of such quarantine officer entitled him to search a private residence.

The phrase "or any other place" should be limited so that it would read: "or any other place of business not a private residence."

Again, the Act attempts to fix criminality upon the owner or persons in charge or possession of any infected trees, etc., if, "within a certain period of time," there is a failure or neglect or refusal to disinfect or destroy such articles.

Parties thus circumstanced should have a reasonable period of time within which to act, and they should not be held criminally responsible, unless they willfully neglect or refuse to obey the reasonable mandates of the quarantine officer.

I am in sympathy and accord with legislation in behalf of the horticulturists of the State, and I regret exceedingly that there has been such negligence in the drafting of measures designed to benefit such interests within this State. Laws should be so framed that a thorough quarantine can be maintained, and making it criminal for any person willfully to violate them.

Something on the lines of Assembly Bill No. 158 should receive careful attention; and I trust that a law may be framed covering all its beneficial features, without the radical objections herein mentioned, and that you may take the bill up, and act upon it as an urgency measure.

The title of such an Act should express its purposes. I am of the impression that the title of the present Act does not accomplish that object.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 23, 1899 }

To the Assembly of the State of California.

I herewith return to your honorable body, without my approval, Assembly Bills Nos. 287 and 288 with my objections thereto.

Assembly Bill No. 288, amending Section 751 of the Political Code, adds to the present force of six deputies of the Supreme Court Clerk an additional chief deputy and a stenographer.

Upon a careful examination of this matter, I find that there is no need whatsoever for such increase. Former Supreme Court Clerks have very well attended to the duties of their office, and have been enabled to take vacations and give vacations to their deputies, even when the number of cases pending have been equal to those now before the Supreme Court.

Assembly Bill No. 287 is supplemental to Assembly Bill No. 288, and amends Section 756 of the Political Code, and proposes that the salary of the newly created chief deputy clerk of the Supreme Court shall be \$2,400 each year—an increase over the salaries of the other six deputies of \$600 each year.

In addition to this, it is proposed to pay the newly created stenographer of the Supreme Court Clerk an annual salary of \$1,200.

As I have before said, there is no necessity for the creation of such offices, hence no need for such large expenditures. If the proposed constitutional amendment creating an intermediate Court of Appeals should be passed and carried (and I, personally, favor such constitutional amendment), then the offices created by Assembly Bills Nos. 288 and 287 would be sinecures. Even now, in my opinion, the present force of the Supreme Court Clerk is fully sufficient for the work required.

HENRY T. GAGE,
Governor of the State of California

Mr. Dibble moved that the veto messages be printed in the Journal, and lay over as unfinished business.

So ordered.

Mr. Dibble, Chairman of Committee on Rules and Regulations, moved that second-reading file be considered this afternoon; and appropriation bill file for Monday and Tuesday evenings of next week, where Assembly left off on Friday evening.

Mr. Dibble moved the adoption of the report of the Committee on Rules and Regulations.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1899.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 980—An Act to amend Section 3930 of the Political Code, relating to the permanent boundary line between the counties of Amador and El Dorado—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ARNERICII, Chairman.

Assembly Bill No. 980 ordered on second-reading file.

MOTION.

Mr. Caminetti moved to take up Senate Bill No. 877.

So ordered.

Senate Bill No. 877 (Substituted for Assembly Bill No. 620)—An Act to provide for the construction of a free wagon road from Mount Hamilton Observatory in Santa Clara County to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Read second time.

Mr. Caminetti moved that the two following amendments be substituted for the former two.

So ordered.

Amend by striking out period on line 11, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "*provided, furthermore*, that before any expense shall be incurred under the provisions of this Act, except for making the proper surveys, plans, and specifications, and for the estimates of cost, proper surveys, plans, specifications, and estimates of cost for all the purposes of this Act shall be had and approved by said commission and also by the State Board of Examiners, which plans and specifications shall not thereafter be changed or modified except by the consent of said commission and also of said Board of Examiners."

Amendment adopted.

Also: Amend by striking out the period on line 14, Section 6, page 5, printed bill, and inserting in lieu thereof the following: "*provided*, that no money shall be paid out of the State Treasury under the provisions of this Act prior to January first, A. D. nineteen hundred "

Amendment adopted.

Also: Amend by striking out the words "its passage" on line 2, Section 8, page 3, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred "

Amendment lost.

Senate Bill No. 877 ordered to print, engrossment, and third reading.

MOTION.

Mr. Dibble moved that the notice of reconsideration of Assembly Bill No. 67, given yesterday, be vacated, inasmuch as the Journal shows that on the roll call on passage of said bill only 37 votes were cast, not a quorum, and that there was no action on said bill, and that said bill be restored to its place on the file.

So ordered.

REPORT OF STANDING COMMITTEES—(OUT OF ORDER).

ON COMMISSIONS AND PUBLIC EXPENDITURES

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, to whom was referred Senate Bill No. 320—An Act creating a Commissioner of Public Works,

defining his duties and powers, and fixing his compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CONREY, Chairman.

Senate Bill No. 320 ordered on Senate special file.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements by the managers of the Napa State Hospital at Napa, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass, and be referred to Committee on Ways and Means.

WADE, Chairman.

Senate Bill No. 300 referred to Committee on Ways and Means.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Senate Bill No. 66—An Act to amend Section 844 of the Code of Civil Procedure.

Mr. O'Brien moved that the Assembly do now recede from Assembly amendments to Senate Bill No. 66.

The question being, "Shall the Assembly recede?"

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Chynoweth, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Robinson, E. D. Sullivan, Wade, Works, and Mr. Speaker—46.

NOES—None

Senate Bill No. 66 ordered on Senate special file.

CASES OF URGENCY.

Mr. Johnson moved to suspend the constitutional provision in a case of urgency, for the purpose of considering Assembly Bills Nos. 997 and 998.

Resolved, That Assembly Bills Nos. 997 and 998 present cases of urgency, as that term is used in Section 15, Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Barry, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 997—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read second time.

Assembly Bill No. 998—An Act to provide for an appropriation for pay of officers and clerks of the Assembly.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 997 and 998.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 997 and 998 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1896.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 997—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Also: Assembly Bill No. 998—An Act to provide for an appropriation for pay of officers and clerks of the Assembly.

And do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report of committee adopted.

Assembly Bills Nos. 997 and 998 considered engrossed.

Assembly Bill No. 997—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Bill No. 998—An act to provide for an appropriation for pay of officers and clerks of the Assembly.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, DeLancie, Dunlap, Feliz, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Mr. Valentine moved that Assembly Bills Nos. 997 and 998 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto—and is in the hands of your committee for enrollment.

RICKARD, Chairman.

MOTION.

Mr. Caminetti moved that the Committee on Engrossment and Enrollment be instructed to report back to the Assembly immediately Assembly Bill No. 988.

So ordered.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 25, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Dickinson, Doty, Feeney, Flint, Hall, Hoey, Jones, Laird, Langford, La Rue, Luchsinger, Morehouse, Nutt, Pace, Rowell, Shortridge, Simpson, Sims, Smith, Taylor, Trout, and Wolfe—30.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kennally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—63.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, February 24, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, February 24, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Shortridge, Simpson, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, La Rue Pace, and Sims—8.
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	32
W. H. L. Barnes received	4 votes.
R. N. Bulla received	2 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	6 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	8 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Clough, Knights, Knowland, and Lardner—5.
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Boynton, Conrey, Cosper, La Bree, Mehck, Miller of Los Angeles, Robinson, and Valentine—8.
For D. M. Burns—Messrs. Arnerich, Barry, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Pierce, Rickard, and Wright—15.
For U. S. Grant, Jr.—Messrs. Blood, Cargill, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—16.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Mead, Meserve, O'Brien, Sanford, E. D. Sullivan, Wardell, and White—11.
For John Rosenfeld—Mr. Crowley—1.
For Thomas R. Bard—Mr. Greenwell—1.
For James D. Phelan—Messrs. Burnett and Hoey—2.

Whole number of votes cast by Assemblymen	62
W. H. L. Barnes received	5 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	8 votes.
D. M. Burns received	15 votes.
U. S. Grant, Jr., received	16 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	11 votes.
John Rosenfeld received	1 vote.
Thomas R. Bard received	1 vote.
James D. Phelan received	2 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	94
Necessary to a choice	48
W. H. L. Barnes received	9 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	10 votes.
D. M. Burns received	22 votes.
U. S. Grant, Jr., received	22 votes.
Thomas R. Bard received	3 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	19 votes.
James D. Phelan received	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT OF JOINT ASSEMBLY.

At twelve o'clock and twenty minutes P. M., Senator Cutter moved to adjourn until Monday at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve M. of Monday, February 27, 1899.

IN ASSEMBLY.

REASSEMBLED.

Speaker Anderson in the chair.

RECESS.

At twelve o'clock and thirty-five minutes P. M., Mr. Johnson moved that the Assembly take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Anderson in the chair.

MOTION.

Mr. Huber moved that the Committee on County and Township Governments be permitted to withdraw Committee Substitute for Assembly Bill No. 363.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of

State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Passed on file.

Senate Bill No. 72—An Act to promote the safety of employés and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Passed on file.

Senate Bill No. 246—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

Passed on file.

Senate Bill No. 5—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of its proceeds, approved March 23, 1893,' approved March 9, 1897."

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending roll call, Mr. Dibble moved a call of the House, seconded by Mr. Johnson.

So ordered.

Mr. Johnson moved that further proceedings under call of the House be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Blood, Boynton, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Knowland, La Barea, Jardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, Valentine, Wardell, and White—45.

NOES—Mr. Speaker—1.

Title read and approved.

Mr. Dibble moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate is in receipt of your communication advising them that action on the report of the Committee of Conference on Assembly Bill No. 118 had been indefinitely postponed, and am further directed to call the attention of your honorable body to Joint Rule XXIII, and would ask in accordance therewith that a committee of free conference be appointed, and await the notification of the appointment of such free conference committee by your honorable body.

I. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Dibble moved that the communication be printed in the Journal and lay over as unfinished business.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 997 (case of urgency)—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Also: Assembly Bill No. 998—An Act to provide for an appropriation for pay of officers and clerks of the Assembly.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State, etc.

RICKARD, Chairman.

Mr. Caminetti called up the special order for this hour.

Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State, etc.

Mr. Caminetti moved that the bill be made special order for Monday.
So ordered.

SENATE SPECIAL FILE.

Mr. Johnson moved that the Assembly do now proceed with Senate special file.

So ordered.

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Passed on file.

Senate Bill No. 444 (Substituted for Assembly Bill No. 559)—An Act in relation to municipal elections, where the same are held separate from general State elections and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote on proposed charters or upon amendments to existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Passed on file.

Senate Bill No. 362 (Substituted for Assembly Bill No. 412)—An Act to establish a camp of instruction for the National Guard of the State of California, and to authorize the acquisition by donation of a site for the same.

Read second time, ordered to engrossment and third reading.

SECOND-READING FILE.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs of children," approved March 29, 1878.

Passed to foot of file.

Mr. Mead moved that Assembly Bills Nos. 567 and 206 on file be considered in place of Assembly Bills Nos. 638 and 150 on file.

So ordered.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county

seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties from which they are formed.

Passed temporarily on file.

At three o'clock P. M., the Speaker called Mr. Dibble to the chair.

Assembly Bill No. 638 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Passed on file.

Assembly Bill No. 639 (Substitute for Assembly Bill No. 295)—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1650, 1663, 1667, 1677, 1674, 1713, 1714, 1768, 1830, 1858, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 356—An Act for the protection and propagation of shrimps.

Passed on file, but to retain place on file.

Assembly Bill No. 133—An Act to amend Section 1918 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the legal rate of interest to be charged in the State of California, and providing a penalty for the charging of an illegal rate.

Passed to foot of file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Passed on file.

Assembly Bill No. 269—An Act to amend Section 2 of an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895.

Passed on file.

Assembly Bill No. 372—An Act to amend an Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895.

Passed on file.

Assembly Bill No. 153—An Act fixing and defining a miner's inch of water.

Passed on file.

Assembly Bill No. 35—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment, and defining their duties, and fixing their tenure of office; providing for the disposition of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto, and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days, and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, thoroughfare, faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroads to refuse or to neglect to deliver to the wharfinger or other employé of the board a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both, and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Passed on file.

Assembly Bill No. 220—An Act to repeal Section 8 of an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876, and to make the provisions of said Act apply to all the counties of this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 419—An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes, through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies.

Passed on file.

Assembly Bill No. 635—An Act to regulate the practice of osteopathy

in the State of California, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 732 (Substitute for Assembly Bill No. 64)—An Act amending the Civil Code of the State of California, by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State of its property and franchises, or any part thereof, to any other railroad company, etc.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 178—An Act to enable railroad companies to complete their railroads, and authorizing construction of railroads.

Passed to foot of file.

Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate, and the effect of such certificate.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 469—An Act to amend Section 5 of an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 646—An Act to provide special quarters in county, city and county jails, city jails, or police stations, for juvenile prisoners.

Read second time, ordered to engrossment and third reading.

LEAVE OF ABSENCE.

Mr. Raw was excused for the day on his own motion.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 339—An Act to authorize the insurance of property of the University of California, held for purposes of income, against damages or loss.

* Read second time, ordered to engrossment and third reading.

Assembly Bill No. 198—An Act entitled "An Act to amend Section 1858 of the Political Code of this State."

Read second time.

The following amendment was submitted:

Amend by inserting after the word "county," in line 54, page 3, printed bill, the words "or city and county."

Amendment adopted.

Ordered to print, engrossment, and third reading.

Assembly Bill No. 413—An Act establishing a camp of instruction for the National Guard of the State of California, and to authorize the acquisition by donation of a site for the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 619—An Act for the protection of forests, growing crops, buildings, and other properties from destruction by fire.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 251—An Act to amend Section 1369 of the Code of Civil Procedure, relating to the appointment of administrators of deceased persons.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 472—An Act to amend Section 1379 of the Code of Civil Procedure, relating to administration of estates of deceased persons.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 473—An Act to amend Section 1618 of the Code of Civil Procedure of the State of California, relating to estates of deceased persons.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 474—An Act to amend Section 1729 of the Code of Civil Procedure of the State of California, relating to Public Administrators.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 496—An Act to amend Section 1369 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons

Passed on file.

Assembly Bill No. 14—An Act providing for liens upon horses and other animals for the cost of shoeing the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 570—An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Read second time.

The following amendments were submitted:

Strike out all after the enacting clause and insert the following:

"SECTION 1. Section 416 of an Act entitled 'An act to establish a Political Code,' approved March 12, 1872, is hereby amended to read as follows:

"416. The Secretary of State, for services performed in his office, must charge and collect the following fees:

"For a copy of any law, resolution, record, or other document or paper on file in his office, twenty cents per folio.

"For affixing certificate and seal of State, unless otherwise provided for, two dollars.

"For filing articles of incorporation without capital stock, five dollars (\$5).

"For filing articles of incorporation with a capital stock to one hundred thousand dollars, five dollars (\$5).

"From one hundred thousand dollars to two hundred and fifty thousand dollars, ten dollars (\$10).

"From two hundred and fifty thousand dollars to five hundred thousand dollars, fifteen dollars (\$15).

"From four hundred thousand dollars to seven hundred and fifty thousand dollars, twenty dollars (\$20).

"From seven hundred and fifty thousand dollars to one million dollars, twenty-five dollars (\$25).

"For recording articles of incorporation, twenty cents per folio.

"For issuing each certificate of incorporation, three dollars.

"For filing amended articles of incorporation, five dollars

"For filing certificate of creation or increase of bonded indebtedness, five dollars

"For filing notice of removal of principal place of business, five dollars.

"For searching records and archives of the State, one dollar

"For filing certificate of increase or decrease of capital stock, five dollars.

"For issuing certificate of increase or decrease of capital stock, three dollars.

"For filing certificate of continuance of existence, five dollars.

"For issuing certificate of continuance of existence, three dollars

"For filing certificate of increase or decrease of number of directors, five dollars.

"For issuing certificate of increase or decrease of number of directors, three dollars.

"For receiving and recording each official bond, five dollars

"For filing each claim to trademark, three dollars.

"For filing and recording notice of appointment of agent, for foreign corporations, five dollars

"For each commission, passport, or other document signed by the Governor and attested by the Secretary of State (pardons, military commissions, and extradition papers and commissions where no term of office is prescribed, unless of profit excepted), five dollars.

"For each patent for land, if for one hundred and sixty acres or less, one dollar; and for each additional one hundred and sixty acres or fraction thereof, one dollar.

"For certificate of appointment, qualification or term of office of notary public, one dollar.

"For filing miscellaneous documents or papers, five dollars.

"For recording miscellaneous documents or papers, twenty cents per folio.

"No member of the Legislature or State officer shall be charged for any search relative to matters appertaining to the duties of their offices; nor shall they be charged any fee for a certified copy of any law or resolution passed by the Legislature relative to their official duties. All fees collected by the Secretary of State must, at the end of each month, be paid into the State Treasury, and shall constitute the Library Fund.

"Sec. 2. This Act shall take effect and be in force from and after its passage "

Amendment adopted.

Assembly Bill No. 570 ordered to print, engrossment, and third reading.

Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 306—An Act amending the Code of Civil Procedure of the State of California by adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Passed on file.

Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining interests.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 702 (Substitute for Assembly Bill No. 536)—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the district and property owners therein.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 658—An Act to prevent the use of paranzella or drag-net in the waters of this State.

Passed on file.

Assembly Bill No. 487—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 226—An Act amending Section 2 of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March

30, 1874, relating to the taking of samples from mines, and for the better protection of the stockholders in mining corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 706—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists.

Read second time.

The following amendments were submitted:

Amend by striking out the comma in line 19, Section 3, page 2, printed bill, after the word "experience," and inserting in lieu thereof the following: "in the preparing, compounding, and dispensing of medicines, drugs, and poisons."

Amendment adopted.

Also: Amend by striking out the period in line 21, Section 3, page 2, printed bill, after the word "Act," and inserting in lieu thereof the following: "*provided*, that nothing in this Act shall be construed to prevent regularly licensed and registered physicians in this State from owning and conducting pharmacies."

Amendment adopted.

Assembly Bill No. 706 ordered to print, engrossment, and third reading.

Assembly Bill No. 116—An Act entitled "An Act to prohibit the sale, or offering for sale, or bringing into the State, for the purpose of sale or giving away, of any cigarettes, cigarette paper, or substitute therefor."

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 448—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance of horses, except within the racetrack, inclosure, or fair grounds wherein such trial or contest shall be had and occur, and to provide a punishment therefor.

Passed to foot of file.

Assembly Bill No. 685—An Act entitled an Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as the slot machine, within the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 335—An Act to amend Section 3491 of the Political Code of the State of California.

Withdrawn by author, and Assembly Bill No. 980 substituted on file.

Assembly Bill No. 980—An Act to amend Section 3930 of the Penal Code, relating to the permanent boundary line between the counties of Amador and El Dorado.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 727—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 106—An Act to keep open natural channels, not navigable, which run through agricultural land, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 6—An Act to amend an Act entitled "An Act to provide for the issuing of bonds on reclamation districts and the disposal thereof for reclamation and other purposes, and their payment by

taxation upon the property situated in such reclamation districts," approved March 27, 1895.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 437—An Act to amend Section 1 of "An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have an interest, to prescribe a course of procedure therefor, to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 502—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Passed on file.

Assembly Bill No. 218—An Act requiring the making and recording of maps of cities, towns, and additions to cities or towns, and subdivisions of lands into small lots, or tracts, for the purposes of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions, or additions thereto before such maps are filed and recorded, and providing for the recording of maps now on file in Recorder's office.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 737—An act adding four new sections to the Political Code, to be numbered consecutively 1674, 1675, 1676, and 1677, authorizing school districts to establish and maintain day schools for the deaf, etc.

Withdrawn by author.

Assembly Bill No. 775—An Act providing that certain Justices' Courts and Justices of the Peace shall have jurisdiction of cases of violations of city ordinances.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 531—An act to punish parents, guardians, or persons permitting the malformation, etc., of minor children.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 515—An act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 516—An Act to change and permanently locate the boundary line between the counties of Plumas and Tehama.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 517—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 589—An Act to establish and confirm the north boundary line of San Mateo County, between the counties of San Mateo and San Francisco, as the same was surveyed by Charles S. Tilton, William B. Gilbert, and D. Bromfield, between August 28, 1898, and December 28, 1898, to be the true boundary line between the counties of San Mateo and San Francisco, California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 518—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Passed on file.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties from which they are formed.

Passed on file.

Assembly Bill No. 514—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Passed on file.

Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 533—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California—1850-1899.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 66 (Substitute for Assembly Bill No. 429)—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California," approved March 26, 1895.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 429—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California," approved March 26, 1895, and amended March 27, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 731—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending Sections 852, 862, 874, and 875 thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 729—An Act authorizing the appropriation of moneys by the several counties, cities and counties, and municipal corporations for the purpose of advancing and maintaining their respective interests by exhibit of products and otherwise at the Pacific Ocean and International Exposition.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 832 (Substitute for Assembly Bill No. 29)—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades."

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 750—An Act to create the Board of State Capitol Commissioners, define its powers and duties, provide for certain officers and employes, define the duties and powers of such officers and employes, and fix their compensation.

Read second time.

The following amendments were submitted:

Amend by striking out the word "the," in line 10, Section 6, page 2, printed bill.

Amendment adopted.

Also: Amend by striking out the word "eight," in line 4, Section 5, page 2, printed bill, and inserting in lieu thereof the word "twelve."

Amendment adopted.

Bill ordered to print, engrossment, and on third-reading special file.

Assembly Bill No. 556—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891.

Passed on file.

Assembly Bill No. 179—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings.

Read second time.

The following amendment was submitted:

Strike out all after the enacting clause and insert the following :

"SECTION 1. All contracts for the erection, construction, improvement, or repair of any public school building or structure connected therewith, amounting to the sum of \$150 or over, shall be let to the lowest responsible bidder after notice given as herein provided, notice for all contracts exceeding \$500 shall be published once a week for three successive weeks in a newspaper of general circulation published in the county where said building or structure shall be or is proposed to be located; notice of contracts for less than \$500 shall be given by posting the same in three public places in the school district and also at the county seat. Bonds for the faithful performance of the contract shall be required from the contractor in double the value of the work to be performed

"SEC. 2. All contracts shall be in writing, and said bond shall be made in favor of a school district, or the Board of School Trustees, or the Board of Education in incorporated cities having such boards. Said contract and bond shall be filed in the office of the County Clerk where said building or structure may be or is to be situated.

"SEC. 3. In case there is no newspaper published in the county where the work is to be done or building erected, notice as herein required shall be published in a newspaper in an adjoining county.

"SEC. 4. This Act shall apply to all unfinished public school buildings now being erected, so far as possible.

"SEC. 5. All plans and specifications for such buildings or other structures, or repairs or improvements thereon, shall be open to competition, and shall be obtained and selected after due advertisement in the manner provided in the Act entitled 'An Act to regulate the erection of public buildings and structures,' approved April 1, 1892.

"SEC. 6. Any and all contracts for the erection, construction, repair, or improvement of public school buildings, which shall be made or entered into in violation of the provisions of this Act, and which shall not be filed as herein required, shall be null and void.

"SEC. 7. All Acts and parts of Acts in conflict herewith are hereby repealed.

"SEC. 8. This Act shall take effect and be in force from and after its passage."

Amendment adopted.

Assembly Bill No. 179 ordered to print, engrossment, and third reading.

Assembly Bill No. 434—An Act providing for the filing and recording of maps, and plots, and the field notes thereof of lots, subdivisions, and blocks of real property, and the surveys thereof in the County Recorder's office, and providing for the use of such for evidence.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 877 (Substitute for Assembly Bill No. 620)—An Act to provide for the construction of a free wagon road from the Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 620—An Act providing for the construction of a State highway or free wagon road from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County, to connect with the most desirable public road leading to the Yosemite Valley, providing for the appointment of a Board of Commissioners, and authorizing and directing said Board of Commissioners to perform certain duties relating to the construction of such highway, and to con-

demn land and property for the purpose aforesaid, and making an appropriation for the expenditures and purposes provided in this Act.

Passed to appropriation file.

Assembly Bill No. 878 (Substitute for Assembly Bill No. 709)—An Act to provide for the survey, location, and construction of a public highway or wagon road from the City of Merced, in the County of Merced, to the Yosemite Valley, and making an appropriation therefor.

Read second time.

The following amendment was submitted:

Amend by striking out the word "typography," in line 7, Section 2, page 2, printed bill, and inserting in lieu thereof, the word "topography."

Amendment adopted.

Assembly Bill No. 878 ordered to print, engrossment, and third reading.

Assembly Bill No. 709—An Act to appropriate the sum of \$50,000 for the construction of a free wagon road from the town of Merced Falls, in Merced County, to the Yosemite Valley, and to repeal and to take the place of an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley," approved March, 26, 1895, etc.

Assembly Bill No. 522—An Act making an appropriation to pay the claim of the Union Mill Company, for services in constructing a refrigerator for the Southern California Asylum for the Insane and Inebriated.

Assembly Bill No. 16—An Act making an appropriation to pay the claim of Lawrence Stevens, for the apprehension and conviction of Ivan Kovalow, the murderer of the Weber family at Sacramento, State of California.

Assembly Bill No. 421—An Act to pay the claim of A. G. Rafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Assembly Bill No. 671—An Act for the relief of Hugo Duveneck, executor of the last will of Sigmund Thannhauser, deceased, for moneys paid through error by him as a tax on certain collateral bequests provided for in said will.

Assembly Bill No 614—An Act to pay the claim of the Liverpool, London, and Globe Insurance Company against the State of California, and making an appropriation therefor.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for advertising constitutional amendments, and to make an appropriation therefor.

Assembly Bill No. 475—An Act to pay the claim of J. W. Newbert against the State of California, and making an appropriation therefor.

Assembly Bill No. 694—An Act entitled an Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year.

Assembly Bill No 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor.

Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Assembly Bill No. 499—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Assembly Bill No. 56—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Assembly Bill No. 421—An Act to pay the claim of A. G. Rafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Assembly Bill No. 671—An Act for the relief of Hugo Duvneek, executor of the last will of Sigmund Thannhausser, deceased, for moneys paid through error by him as a tax on certain collateral bequests provided for in said will.

Assembly Bill No. 614—An Act to pay the claim of the Liverpool, London, and Globe Insurance Company against the State of California, and making an appropriation therefor.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for advertising the constitutional amendments, and to make an appropriation therefor.

Assembly Bill No. 475—An Act to pay the claim of J. W. Newbert against the State of California, and making an appropriation therefor.

Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, as instructress and silk expert.

All passed to appropriation file.

Assembly Bill No. 627—An Act to amend Section 876 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 703—An Act to add a new section to an Act entitled "An Act to provide for work upon streets, lanes, courts, alleys, places, and sidewalks, and for the construction of sewers within municipalities,"

approved March 18, 1885, to be known as Section 54 of said Act, validating certain assessments and permitting suits to be brought upon the same.

Read second time, ordered to engrossment and third reading.

Mr. O'Brien moved that Assembly Bill No. 499 be referred to Committee on Ways and Means.

So ordered.

Assembly Bill No. 787—An Act to establish uniform rates to be charged by any company or corporation doing business within municipal corporations exceeding 50,000 inhabitants in the State of California, for furnishing electric lights to inhabitants thereof, and establishing the method of fixing said rates.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 312—An Act to amend Section 3107 of the Political Code, relating to the laying out and dedicating of cemeteries on public lands.

Passed on file.

Assembly Bill No. 530—An Act to provide for the sweeping, cleaning, and sprinkling of streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 519—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work, and public printing.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 537—An Act to amend Sections 757 and 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 580—An Act relating to the storage of gunpowder, giant powder, or other combustible material

Passed on file.

Assembly Bill No. 704—An Act to require certain county officers to perform the duties of certain city officers when the city so elects.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 285—An Act allowing any county, city, or town treasurer to deposit public funds or moneys paid into his hands in incorporate State Banks.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 807—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroner's inquests held on the body of any person confined in such prisons and schools.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1896, by amending Section 28 of said Act, relating to and providing for county charges.

Passed on file.

Assembly Bill No. 186—An Act relating to the compensation of

County Recorders in counties where their compensation is fees only, instead of salary.

Passed on file.

Assembly Bill No. 219—An Act to amend an Act entitled "An Act to authorize the Board of Supervisors or other governing authorities of the several counties, cities and counties, cities, and towns of the State to provide pensions or benefits for the relief of aged, infirm, or disabled firemen," approved March 11, 1889.

Passed on file.

Assembly Bill No. 362—An Act making an appropriation to pay the claim of F. P. Otis for costs of suit in foreclosing delinquent purchases of State school lands.

Withdrawn by author.

Assembly Bill No. 686—An Act to amend Section 2 of an Act entitled "An Act to require an inventory of the State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 713—An Act for the protection and propagation of pheasants.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 590—An Act to establish a Bureau of Records of the War of the Rebellion, the National Guard of California, the Spanish-American War; and the preservation of records and relics, and authorizing the Adjutant-General to appoint a chief of such bureau, and fixing the amount of his salary.

Ordered on appropriation file.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Ordered on appropriation file.

Assembly Bill No. 724—An Act to amend Section 2587 of the Civil Code of the State of California, relative to the contents of an insurance policy.

Passed on file.

Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of the State.

Read second time.

The following committee amendment was submitted:

Amend by inserting in line 10 after the word "persons," page 1, printed bill, the following: "and land owners in the district and residents of the county or counties in which the district is located"

Amendment adopted.

Assembly Bill No. 744 ordered to print, engrossment, and third reading.

Assembly Bill No. 765—An Act to amend an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, extending the time during which the Board of Directors may sit as a Board of Equalization.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

Ordered on appropriation file.

Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Ordered on appropriation file.

Assembly Bill No. 938—An Act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State treasury, and the return thereof to such funds.

Read second time.

Mr. Caminetti moved that Assembly Bill No. 938 be placed on special file.

So ordered.

Assembly Bill No. 945—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Ordered on appropriation file.

Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 194—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof; to appropriate money therefor, and to authorize the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 86—An Act to appropriate \$17,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate the money therefor, and provide for the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 892—An Act to provide for the appointment of an unsalaried commission to investigate and report upon methods for the preservation of forests in this State.

Read second time. ordered to engrossment and third reading.

Assembly Bill No. 677—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, poultry, grain, fruit, seeds, honey, or dairy produce.

Read second time.

The following amendments were submitted:

In line 1, page 1, after the word "person," insert "corporation or partnership."

Amendment adopted.

Also: Add one section as follows: "In the event of judgment, whether appealed from or not, upon such bond, or the death or insolvency of either of the sureties hereon, a new bond must be given to the end that at all times such agent, commission

merchant, factor, or broker, corporation, or partnership, shall be under bond to the full amount and conditions as herein provided. The statute of limitation as to said bond shall run from a breach of its conditions, not from its date."

Amendment adopted.

Also : Strike Section 6 from bill.

Amendment adopted.

Assembly Bill No. 677 ordered to print, engrossment, and third reading.

Assembly Bill No. 746—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 738—An Act authorizing and directing refund to parties, their attorneys, their heirs, and assigns, of unconsumed portions of money deposited as security for costs of actions and proceedings in the District Courts and Superior Courts of the State, under an Act approved March 5, 1870.

Read second time.

The following amendment was submitted:

Add to Section 3, line 8, the following :

"The provisions of this Act shall apply only to those cases where the said surplus funds have been placed in the county treasury "

Amendment adopted.

Assembly Bill No. 738 ordered to print, engrossment, and third reading.

Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning buildings, and other property not subject to arson, and specifying the penalty therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 654—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be designated and numbered Section 1716.

Read second time.

The following amendment was submitted:

Amend by striking out the words "with interest thereon, from the acceptance thereof," in lines 49 and 50, page 2, printed bill, and inserting in lieu thereof the words "without interest."

Amendment lost.

Assembly Bill No. 654 ordered to engrossment and third reading.

Assembly Bill No. 824—An Act amending Section 3608 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893, for the payment of delinquent taxes for such years; providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption; authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales; providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 698—An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 4506, 4507, 4508, 4509, 4510, 4511, 4512, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538, 4539, 4540, 4541, and 4542, all relating to the establishing of a Board of State Harbor Commissioners for the Port of Wilmington and Bay of San Pedro.

Passed on file.

Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State."

Passed to appropriation file.

Assembly Bill No. 689—An Act entitled "An Act to protect the pheasant, or bob white, and vesting powers in the Boards of Supervisors of the several counties to establish an open season, and providing for the punishment of any violations of this Act."

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 600—An Act to add a new section to the Penal Code of this State, to be numbered —, relating to the preservation of game.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 263—An Act authorizing the location and sale of mining claims upon the public lands of this State.

Passed on file.

Assembly Bill No. 355—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner." approved March 24, 1893, amended March 17, 1897, by amending Section 1 thereof, and adding a new section thereto, relating to Débris Commissioner and his duties.

Passed on file

Assembly Bill No. 684—An Act to prevent the propagation of disease through contamination of the atmosphere by gases or fumes arising from crematories for the disposition of garbage, ashes, offal, and other refuse matter, and to prescribe penalties.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 195—An act to provide for the erection and equipment of a commissary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 757—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 21, 1872, by adding a new section thereto, to be known as Section 653½.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 758—An Act to amend Sections 649 and 650 of the Civil Code.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 714—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication.

Read second time.

The following amendment was submitted:

Amend by inserting after the word "summons," in line 6, Section 1, page 1, printed bill, the words "or being a resident of this State and remains absent therefrom for a period of six months or more"

Amendment adopted.

Assembly Bill No. 714 ordered to engrossment and third reading.

Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Assembly Bill No. 871—An Act to appropriate the sum of \$13,000 for the purpose of establishing an electric light and lighting plant in the Yosemite Valley.

Ordered on appropriation file.

Assembly Bill No. 49—An Act to establish uniform rates to be charged by telephone companies in cities, or cities and counties, having over 50,000 inhabitants.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 893—An Act to prohibit the forcing of air in and through mains and pipes for supplying illuminating gas, and providing a penalty therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 632—An Act to amend Section 629 of the Civil Code, relating to gas corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 599—An Act defining and regulating the appointment of local fire insurance agents, compelling them to obtain certificates from the Insurance Commissioners, designating their powers and duties, and prescribing penalties against persons violating its provisions, and against any such agent allowing, or offering to allow, rebates of the premiums specified therein.

Read second time.

The following amendment was submitted:

Amend by inserting after the word "district," in line 3, Section 6, page 2, printed bill, the following: "where he may be represented by a local fire insurance agent."

Amendment adopted.

Assembly Bill No. 599 ordered to print, engrossment, and third reading.

Assembly Bill No. 894—An Act to regulate the use of meters used for the purpose of measuring water by persons or corporations distributing the same for sale.

Read second time.

The following amendment was submitted:

Amend by inserting after Section 2, line 7, page 1, printed bill, the following:

"SECTION 3 Any person or corporation turning off or refusing to supply water in violation of the provisions of this Act shall be deemed guilty of a misdemeanor."

Amendment adopted.

Assembly Bill No. 894 ordered to print, engrossment, and third reading.

Assembly Bill No. 899—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads.

Read second time, ordered to engrossment and third reading

Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 887—An Act relating to estrays, and trespassing animals, and repealing all Acts and parts of Acts now in force relating to estrays.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 888—An Act relating to the protection of highways, and repealing all other Acts and parts of Acts inconsistent with or in conflict with this Act.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 852—An Act to establish a uniform standard of weights and measures; to divide the State into districts; appoint inspectors; define their duties; fix the rate of charges, and also the penalties for the violation of this Act.

Read second time.

The following amendment was submitted

Amend by striking out all after the enacting clause and inserting the following:

"SECTION 1 There shall be but one standard of weights and measures of capacity throughout this State, which shall be in conformity with the standard of weights and measures established by law.

"SEC. 2 The Secretary of State shall be ex officio State sealer of weights and measures, and he is hereby authorized and empowered, and it shall be his duty, to procure, at the expense of the State, a complete and true standard of balances, weights, and measures, in conformity with that established by the laws of the United States, to consist of a standard balance, a yard, a pound weight, a liquid gallon, a half bushel, and the usual subdivisions of such weights and measures, which shall be deposited by him in a chest, or case, in his office to be opened only once in each year, for the adjustment and correction of the weights and measures used by the inspectors of weights and measures created by this Act, and it shall be his duty to adjust and correct the balances, weights, and measures used by the said inspectors and stamp the same, when corrected and adjusted, with the letter 'C.' The necessary assistance in the performance of said duty he is hereby authorized and empowered to employ, at the expense of the State, in a sum not to exceed five hundred dollars in any one year. And he is further authorized and empowered, and it shall be his duty, to procure at the expense of the State the balances, weights, and measures, and all necessary appliances required for the use of said inspectors of weights and measures, and each of them.

"SEC. 3 For the purposes of this act the State is hereby divided into fifteen districts, constituted as follows:

"The first and second senatorial districts shall constitute the first district;

"The third and fourth senatorial districts shall constitute the second district;

"The fifth and sixth senatorial districts shall constitute the third district;

"The seventh and eighth senatorial districts shall constitute the fourth district;

"The ninth and thirteenth senatorial districts shall constitute the fifth district;

"The tenth and eleventh senatorial districts shall constitute the sixth district;

"The twelfth and fifteenth senatorial districts shall constitute the seventh district;

"The fourteenth and sixteenth senatorial districts shall constitute the eighth district;

"The seventeenth to the twenty-fifth senatorial districts, inclusive, shall constitute the ninth district;

"The twenty-sixth, twenty-seventh, and twenty-eighth senatorial districts shall constitute the tenth district;

"The twenty-ninth, thirtieth, and thirty-first senatorial districts shall constitute the eleventh district;

"The thirty-second and thirty-third senatorial districts shall constitute the twelfth district;

"The thirty-fourth and thirty-fifth senatorial districts shall constitute the thirteenth district;

"The thirty-sixth, thirty-seventh, and thirty-eighth senatorial districts shall constitute the fourteenth district;

"The thirty-ninth and fortieth senatorial districts shall constitute the fifteenth district.

"SEC. 4 The Governor of the State of California shall, within thirty days after the passage of this Act, appoint seventeen citizens to be known and designated as Inspectors of Weights and Measures, and shall assign each to the district within which he shall perform his duties, one inspector for each district, except that to the ninth district three inspectors shall be assigned, who shall divide equally between themselves the duties of the district; and the Governor may, from time to time, reassign said inspectors, for the more effectually carrying out the provisions of this Act. The term of office of each inspector shall be four years, and until his successor is appointed. There shall be paid to each of said Inspectors of Weights and Measures a salary of one hundred and fifty dollars per month, and in addition thereto the sum of one hundred dollars per month for assistants, traveling and necessary expenses. The salary and expenses of the inspectors shall be paid by the Treasurer of the State in the same manner as are the salaries of other officers.

"Each inspector shall give a bond in the sum of one thousand dollars for the faithful discharge of his duties.

"The Governor may remove any of said inspectors for malfeasance and nonfeasance in office, or for any acts that render him unfit or incapable to discharge the duties of his office.

"SEC. 5 It shall be the duty of the Inspector of Weights and Measures to adjust and correct all balances, weights, and measures within the district to which he has been appointed, and to make them conform to the standard herein established, and when so adjusted and corrected, to mark, stamp, or seal them with a monogram formed of the letters 'S. W. M.', whenever it is possible so to do, and when that cannot be done then to furnish the owner with a certificate that such weight, balance, or beam has been corrected and adjusted. To counterfeit or imitate said monogram shall be a misdemeanor, and punishable as such. Each of said inspectors shall have a permanent office within the district to which he is assigned, to which weights and measures may be sent for correction and adjustment, he shall also visit, once in six months, the county seat of each county within his said district, for the purpose of correcting and adjusting weights and measures. On all such visits the Supervisors of the county shall, at the expense of the county, provide a room for the use of such Inspector of Weights and Measures, and shall, thirty days prior to the time of such visit, give public notice thereof, said notice to be published in the official newspaper of the county not less than once a week for four weeks, together with such other publicity as the Supervisors may deem most likely to assist in the execution of this Act. The Inspector of Weights and Measures shall have the power to inspect, at any hour, in the day time, all such weights, measures, and beams, at, or in, the place where they are used, and any person refusing to allow such inspection, upon reasonable request, shall be liable to the penalties in section seven of this Act. An accurate record shall be kept by each Inspector of the persons for whom he performs services, together with their addresses, fees collected, and date of such service, and he shall report the same to the Governor of the State annually in December.

"SEC. 6 The inspector must collect from each person whose weights, measures, beams, or balances he has examined and certified to be correct, and shall pay the same over to the State Treasurer on the first day of each month, the following fees: For sealing and marking every pound weight, or subdivision thereof, ten cents for each weight; *provided, however,* the charge for any one set of weights shall not exceed fifty cents; for sealing and marking weights of more than one pound, ten cents for each weight; for sealing and marking every beam, fifty cents; for sealing and marking measures of extension, at the rate of twenty-five cents per yard, not to exceed fifty cents for any measure; sealing scales from two pounds to two hundred pounds, fifty cents each; from two hundred pounds to five hundred pounds, seventy-five cents each; from five hundred pounds to two thousand pounds, one dollar each; two thousand pounds to ten thousand pounds, two dollars each; ten thousand pounds to twenty-five tons, three dollars; above twenty-five tons, five dollars, for sealing and marking liquid measures if the same be of the capacity of one gallon or more, fifty cents; if less than a gallon, twenty-five cents.

"SEC. 7. All persons using any weights, measures, beams, or balances, by which any commodity, or article of trade or traffic, is weighed or measured, shall have the same stamped or certified to by the Inspector of Weights and Measures, before using the same, and at least once each year thereafter. Any person hereafter using such weights, measures, beams, or balances, not conformable to the standard of the State, or without having such weights, measures, beams, or balances certified or stamped as aforesaid, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less

than five dollars nor more than one hundred dollars for each and every offense; and the person, or persons, who shall furnish the information necessary to secure a conviction for violating any of the provisions of this Act shall be entitled to the expenses incurred by him, or them, in the prosecution of said case, *provided, however*, that no allowance in this behalf shall exceed one half the fine imposed, and the officer collecting the same shall pay it over to such person, or persons, on demand; and the other portion of said fine collected shall be paid to the State Treasurer.

"SEC. 8. Any article or commodity, and all articles and commodities, sold by weight or measure, must be sold by, and conform to, the standard of weights and measures in this Act provided, and any person or persons who shall sell any such article or commodity less in weight or measure shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as in section seven provided.

"SEC. 9. The Secretary of State is hereby authorized and empowered, and it will be his duty, to provide, and keep in his office, all the necessary appliances to properly carry out the provisions of this Act.

"All proper obligations incurred by the Secretary of State in providing said necessary appliances, after being audited and allowed by the State Board of Examiners, shall be paid by the State; and the sum of \$1,000 is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the same.

"The Controller of State is hereby directed to draw his warrant in favor of the Secretary of State for such sum as the State Board of Examiners will approve under this Act, and the State Treasurer is hereby directed to pay the same.

"SEC. 10. All Acts and parts of Acts, including an Act entitled 'An Act to establish a standard of weights and measures,' approved April 6, 1891, are hereby repealed.

"SEC. 11. This Act shall take effect immediately."

Amendment adopted.

Also. Amend title by striking out the whole thereof, and inserting in lieu thereof the following:

"An Act to establish a uniform standard of weights and measures; to divide the State into districts, and to provide for the appointment of inspectors for such districts, and to define their duties; to fix the rates of charges; to fix penalties for violation of this Act; to make an appropriation to carry out certain provisions of this Act; and to repeal conflicting Acts."

Amendment adopted.

Assembly Bill No. 852 ordered to print, engrossment, and third reading.

Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego.

Passed on appropriation file.

Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional classrooms at the State Normal School at San José, and to provide for furnishing, equipment, and heating and ventilation apparatus thereof, and making an appropriation for the same.

Passed on appropriation file.

Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor.

Passed on appropriation file.

Assembly Bill No. 114—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts and Justices.

Read second time.

The following amendment was submitted:

SECTION 1. Section 103 of the Code of Civil Procedure of the State of California is hereby amended to read as follows:

"103. There shall be at least one Justice's Court in each of the townships of the State, for which one Justice of the Peace shall be elected by the qualified electors of the township, at the general State election next preceding the expiration of the term of office of his predecessor; *provided*, that in any county where, in the opinion of the Board of Supervisors, the public convenience requires it, the said board may, by order,

provide that two Justices' Courts may be established in any township, designating the same in such order; and in such case, one Justice of the Peace shall be elected in the manner herein provided for each of such courts. In every city or town of the third and fourth class, there shall be one Justice of the Peace, and in every city or town of the second class, there shall be two Justices of the Peace, to be elected in like manner by the electors of such cities, or towns, respectively, and such Justices of the Peace of cities or towns, and Justices' Courts of cities or towns, shall have the same jurisdiction, civil and criminal, as Justices of the Peace of townships, and township Justices' Courts. Said Justices of the Peace of cities, and Justices' Courts of cities, shall also have jurisdiction of all proceedings for the violation of any ordinance of any city in which courts are established, both civil and criminal, and of all actions for the collection of any license required by any ordinance of any such city or town. No person shall be eligible to the office of Justice of the Peace in any city or town of the first, second, or third class who shall not have been admitted to practice law in a court of record; and no Justice of the Peace shall be permitted to practice law before another Justice of the Peace in the city (or town) and county in which he resides, or to have a partner engaged in the practice of law in any Justices' Court in such city, or town, and county. Every city Justice of the Peace in any city or town of the fourth class shall receive a salary of fifteen hundred dollars per annum, and every city Justice of the Peace in any city or town of the second or third class shall receive a salary of two thousand dollars per annum, and each Justice of the Peace shall be provided by the city or town authorities with a suitable office in which to hold his court. All fees which are chargeable by law for services rendered by such city Justice of the Peace in the cities or towns aforesaid shall be by them, respectively, collected; and on the first Monday of each month every such city or town Justice of the Peace shall make a report, under oath, to the city or town Treasurer, of the amount of fees so by him collected, and pay the amount so collected into the city or town Treasury, to the credit of the general fund thereof. Said salaries shall be the sole compensation of said city Justices.

"The provisions of this Act shall not apply to cities incorporated under the provisions of the Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March thirteenth, eighteen hundred and eighty-three, and Acts amendatory thereof.

"After this Act goes into effect, and prior to the next general election thereafter, the Supervisors of each county may appoint the Justices of the Peace in all cities therein where this Act establishes Justices of the Peace where none before existed, such appointee to hold office until the next general State election.

"Sec. 2. This Act shall take effect immediately upon its passage."

Amendment adopted.

Assembly Bill No. 144 ordered to print, engrossment, and third reading.

Assembly Bill No. 193—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights; to extend and protect the present water system; to provide for water storage for fire emergency and other purposes; to appropriate money therefor, and to authorize the expenditure of the same.

Ordered on appropriation file.

Assembly Bill No. 896—An Act to repeal an Act entitled "An Act to encourage and provide for general vaccination in the State of California," approved February 20, 1889.

Passed on file.

Assembly Bill No. 920—An Act to regulate the practice of electrotherapeutics in the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 788—An Act to repeal an Act to promote the horticultural interests of the State, by providing county boards of horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891; said Act approved March 31, 1897. (Statutes of 1897, Chapter CCXXXIII.)

Read second time

Mr. Melick moved that Assembly Bill No. 788 be re-referred to Committee on Fruit and Vine Interests, to retain place on file.

So ordered.

Assembly Bill No. 897—An Act to amend Sections 9 and 10 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all public improvements, or for any purpose whatever; and the repeal of the Act approved March 9, 1895, entitled 'An Act to authorize municipal corporations of the first class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks'; also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' approved March 19, 1889," and an Act amendatory thereof, approved March 19, 1891.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 813—An Act to enable cities of the third class to issue fiscal year bonds for the purpose of providing money for the payment of municipal expenses before the collection of taxes.

Read second time.

The following amendments were submitted:

Amend in line 4, Section 1, by striking out the word "major" and inserting the word "mayor."

Amendment adopted.

Also: In line 2, Section 4, strike out the word "major" and insert the word "mayor."

Amendment adopted.

Also: In line 1, Section 5, strike out the word "Major" and insert the word "Mayor"

Amendment adopted.

Assembly Bill No. 813 ordered to print, engrossment, and third reading.

Assembly Bill No. 818—An Act to amend Section 833 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorders.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 829—An Act to amend Section 1 of an Act entitled "An Act to amend Section 862 of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883," approved March 18, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 851—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and describing the duties of such assistants," approved March 23, 1893.

Passed on file.

Assembly Bill No. 779—An Act to amend Section 667 of the Penal Code of the State of California, relating to second offenses after conviction of former offenses.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 780—An Act to amend Section 647 of the Penal Code of the State of California, relating to vagrants.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 100—An Act to authorize the purchase or condemnation of land for streets, when less than the distance between two streets is required, and when the improvement to be effected thereby is not properly chargeable on a particular district.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, and the refusal of those last elected to continue in the discharge of duties of such offices until their successors are elected and qualified, and make provision for an election by the legally qualified electors of such incorporated cities to fill such offices; and to provide that the official acts of officers so provisionally appointed, and processes served upon them, shall be valid.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 262—An Act providing for the abandonment of operations by irrigation districts, and for the disorganization of the same upon the discharge of their outstanding obligations, and for the sale of the property belonging to the same for the purpose of discharging any outstanding obligations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 701—An Act to provide for the place of holding office by State officers.

Read second time.

The following amendment was submitted:

Insert after the word "officers," in line 1, page 1, printed bill, the words "except the Supreme Court and the Attorney-General"

Amendment adopted.

Assembly Bill No. 701 ordered to print, engrossment, and third reading.

Assembly Bill No. 371—An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased; Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Passed on file.

Assembly Bill No. 947—An Act to repeal the whole of Title XV of Part IV of Division III of the Civil Code of the State of California, embracing Sections 3086 to 3262 of said Code, both inclusive, relating to negotiable instruments, and enacting in place thereof a new title, to be known as Title XV of Part IV of Division III of the Civil Code of the State of California, with new provisions in relation to negotiable instruments.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 460—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 527—An Act authorizing the Boards of Supervisors of all counties in this State to refund the indebtedness of said county, to issue bonds therefor, and to provide for the payment of the same.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 967—An Act to prevent the sale of more than one line of merchandise under the roof known as "department stores," in any municipal corporation.

Passed on file.

Assembly Bill No. 964—An Act to provide for the redemption of lands sold for delinquent assessments for public work in municipalities, and to define the rights and duties of purchaser and delinquent property owners in such cases.

Passed on file.

Assembly Bill No. 959—An Act to appropriate the sum of \$183 55 to pay the claim of Morris Brooke.

Ordered on appropriation file.

Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Ordered on appropriation file.

Assembly Bill No. 942—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known as and numbered 308, relating to the printing of legislative bills.

Passed on file.

Assembly Bill No. 873—An Act defining the duties of certain officers of the Assembly in the assignment of seats to members thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 708—An Act authorizing and empowering the Board of State Capitol Commissioners to appoint six additional laborers for the Capitol grounds, in addition to the number now allowed by law, and fixing the compensation of such additional employes.

Passed on file.

Assembly Bill No. 711—An Act making an appropriation to pay for providing additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Passed on file.

Assembly Bill No. 933—An Act making an appropriation of \$15,000 for the opening and construction of a bitumen street, granite curb, and cement sidewalks through Capitol Park, on Thirteenth Street, from L to N streets.

Ordered on appropriation file.

Assembly Bill No. 943—An Act to establish a restaurant and barber shop, with baths attached thereto, in the basement of the State Capitol building at Sacramento, and appropriate the sum of \$5,000 therefor.

Ordered on appropriation file.

Assembly Bill No. 994—An Act to permit asexualization of the

inmates of the State Hospital and the California Home for the Care and Training of Feeble-Minded Children.

Passed on file.

MOTION.

Mr. Chynoweth moved that Assembly Bill No. 789 be made a special order for next Tuesday.

So ordered.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Monday, February 27, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 27, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called.

Pending roll call, Mr. Belshaw moved a call of the House.

Seconded by Mr. Dibble

So ordered.

Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

Messrs. Arnerich, Belshaw, Blood, Boynton, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Dale, Dibble, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, La Bree, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Rickard, Robinson, Sanford, Valentine, Wade, White, and Mr. Speaker—41

Quorum present

In absence of the Chaplain, prayer was dispensed with.

LEAVE OF ABSENCE.

Mr. Brown was granted leave of absence for the day, on motion of Mr. Beecher.

Mr. Raw was granted leave of absence for the day, on motion of Mr. Works.

READING OF JOURNAL.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Huber.

COMMUNICATION.

The Speaker presented the following communication from the State Controller:

CONTROLLER'S DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 24, 1899. }

To the Assembly of the State of California

I have the honor to acknowledge the receipt of a resolution adopted by your honorable body on the 21st inst., which reads as follows:

Resolved, That the State Controller be requested to inform the Assembly whether any part of the fund for armory rents, etc., was used in the payment of salaries for members of the Governor's staff, or for clerical service in the Adjutant-General's office.

In reply thereto I beg to state that the following amounts have been paid out of the appropriation "for armory rents and other expenses of the National Guard," as follows:

For clerical services in the Adjutant-General's office, April 27, 1898,	
to date.....	\$531 25
For salaries of members of the Governor's staff, April 27, 1898,	
to date	3,616 41

Very respectfully,

E. P. COLGAN, Controller

Mr. Valentine moved that the communication be printed in the Journal.

Mr. Valentine moved that Senate Bill No. 277 be placed back on Senate file.

So ordered.

PETITION.

By Mr. Works: Relative to the practice of barbering—signed by fifty-six barbers of San Diego County.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 810—An Act to establish uniform rates to be charged for telephone instruments and telephone service in this State, and declaring a penalty for the violation of the provisions thereof.

Also: Assembly Bill No 960—An Act regulating rates of passenger transportation within the State of California, and providing a penalty for the violation thereof.

Also: Assembly Bill No 961—An Act to regulate the operation of sleeping-cars within the State of California, and providing a penalty for the violation thereof.

Also: Assembly Bill No 631—An Act to prohibit the collection of deposits or payments by gas companies, corporations, or persons supplying gas, as a condition to supplying of gas, and providing a penalty therefor.

I have had the same under consideration, and respectfully report the same back without recommendation.

RAUB, Chairman.

Assembly Bills Nos. 810, 960, 961, and 631 ordered on second-reading file.

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rule, under the provisions of Standing Rule LXXVI, for the consideration of business at the evening sessions during the present week:

First—That the special rule heretofore made for consideration of business on the Ways and Means urgency file be modified so as to provide that the business on said file shall be considered on Wednesday, Thursday, and Friday evenings, instead of Monday, Tuesday, and Wednesday evenings; that in other respects the said special rule remain in force.

Second—That the order of business for Monday and Tuesday evenings shall be consideration of the third-reading file.

DIBBLE, Chairman

Report adopted.

ON 'PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899

MR. SPEAKER. Your Committee on Public Morals, to whom was referred Assembly Bill No. 978—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 310½, relating to a penalty for smoking cigarettes in any building, wharf, or other structure belonging to any city, county, city and county, or municipality, or to the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

H. W. MILLER, Chairman

Assembly Bill No. 978 ordered on second-reading file.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899

MR. SPEAKER. Your Committee on Ways and Means submit herewith their report for the week ending Saturday, February 25, 1899.

Bills Referred to this Committee Since Last Report

Feb. 20, Assembly Bill No. 877—For construction of free wagon road from Santa Clara County to Yosemite Valley	\$20,000 00
20, Assembly Bill No. 878—To construct wagon road from the City of Merced to Yosemite Valley	50,000 00
20, Assembly Bill No. 881—Publishing constitutional amendments	306 00
20, Assembly Bill No. 883—Publishing constitutional amendments	300 00
20, Assembly Bill No. 885—Publishing constitutional amendments	500 00
20, Assembly Bill No. 890—Publishing constitutional amendments	150 00
20, Assembly Bill No. 891—Publishing constitutional amendments	120 00
20, Assembly Bill No. 900—Publishing constitutional amendments	225 00
20, Assembly Bill No. 901—Publishing constitutional amendments	150 00
20, Assembly Bill No. 902—Publishing constitutional amendments	248 65
20, Assembly Bill No. 903—Publishing constitutional amendments	150 00
20, Assembly Bill No. 904—Publishing constitutional amendments	150 00
20, Assembly Bill No. 906—Publishing constitutional amendments	405 00
20, Assembly Bill No. 907—Publishing constitutional amendments	750 00
20, Assembly Bill No. 910—Publishing constitutional amendments	500 00
20, Assembly Bill No. 912—Publishing constitutional amendments	150 00
20, Assembly Bill No. 913—Publishing constitutional amendments	250 00
21, Assembly Bill No. 915—Publishing constitutional amendments	135 00
21, Assembly Bill No. 918—Publishing constitutional amendments	175 00
21, Assembly Bill No. 923—Publishing constitutional amendments	250 00
21, Assembly Bill No. 927—Publishing constitutional amendments	213 15
21, Assembly Bill No. 929—Publishing constitutional amendments	150 00
22, Assembly Bill No. 953—Publishing constitutional amendments	300 00
22, Assembly Bill No. 958—Publishing constitutional amendments	225 00
22, Assembly Bill No. 968—Publishing constitutional amendments	213 15
22, Assembly Bill No. 969—Publishing constitutional amendments	250 00
22, Assembly Bill No. 971—Publishing constitutional amendments	4,488 42
22, Assembly Bill No. 972—Publishing constitutional amendments	1,800 00
22, Assembly Bill No. 973—Publishing constitutional amendments	5,250 00
22, Assembly Bill No. 974—Publishing constitutional amendments	114 00
22, Assembly Bill No. 975—Publishing constitutional amendments	315 00
22, Assembly Bill No. 976—Publishing constitutional amendments	125 00
20, Assembly Bill No. 886—For printing reports of California Voting Machine Commission	65 00
20, Assembly Bill No. 905—For sinking an oil well on the grounds of the Agnew's State Asylum	20,000 00
21, Assembly Bill No. 338—For buildings and improvements at the State University	93,500 00
21, Senate Bill No. 461—For purchase of certain lands in Humboldt Bay	13,000 00
21, Assembly Bill No. 875—Claim of J. B. Sanford	300 00
21, Assembly Bill No. 898—Claim of James A. Devoto	2,100 00
21, Assembly Bill No. 919—Claim of Mrs. L. U. McCann	2,500 00
21, Assembly Bill No. 931—Claim of R. B. Young	3,131 00
21, Assembly Bill No. 934—Claim of M. F. McFarland	300 00
21, Assembly Bill No. 939—Claim of Dennis Spencer	1,125 00
22, Assembly Bill No. 86—For buildings and improvements at Mendocino State Hospital	13,000 00
22, Assembly Bill No. 87—For buildings and improvements at Mendocino State Hospital	20,000 00
22, Assembly Bill No. 194—For completion and equipment of buildings at Home for Care and Training of Feeble-Minded Children	37,500 00
22, Assembly Bill No. 741—For State Game Warden	15,000 00
22, Assembly Bill No. 946—Claim of Thomas O. Toland	223 00
22, Assembly Bill No. 948—Publishing constitutional amendments	357 00

Feb. 22, Assembly Bill No. 977—For erecting a monument to the late Levi Rackliffe	\$900 00
22, Assembly Bill No. 986—For pay of salary of the secretary of the State Engineer, fortieth, forty-first, and forty-second fiscal years	4,800 00
22, Assembly Bill No. 253—To complete and equip Normal School building at San Diego	80,000 00
22, Assembly Bill No. 248—Claim of O. R. Chapman	1,845 00
21, Assembly Bill No. 940—For construction of sewerage system at Polson Prison	15,000 00
23, Assembly Bill No. 63—For improvements at State Normal School at Los Angeles	20,000 00
23, Assembly Bill No. 191—For erection of cottages at Home for Feeble-Minded Children	35,000 00
23, Assembly Bill No. 192—For improvements at Home for Feeble-Minded Children	8,500 00
23, Assembly Bill No. 195—For commissary building at Home for Feeble-Minded Children	20,000 00
23, Assembly Bill No. 424—For library building at San José Normal School	40,000 00
22, Assembly Bill No. 675—For bounty on coyote scalps	50,000 00
24, Assembly Bill No. 193—For water supply for Home for Feeble-Minded Children	25,000 00
24, Assembly Bill No. 232—For additional clerk Secretary of State's office
24, Assembly Bill No. 693—Claim of Wells, Fargo & Co.	36 98
24, Assembly Bill No. 694—Claim of Fred Mason	21 00
24, Senate Bill No. 324—Claim of Addie McGinness	5,000 00
24, Senate Bill No. 252—Creating office of expert in Controller's office
24, Senate Bill No. 122—Claim of John P. Dulip	3,440 31
24, Senate Bill No. 29—For Polytechnic School, San Luis Obispo	100,000 00
24, Assembly Bill No. 551—For purpose of testing and purchasing voting machines	26,150 00
17, Assembly Bill No. 449—For support of Veteran Volunteer Firemen's Association	3,000 00
	\$432,993 29

Bills Reported Favorably.

Feb. 21, Assembly Bill No. 367	\$1,500 00
25, Assembly Bill No. 525	300 00
21, Assembly Bill No. 242	675 00
25, Assembly Bill No. 54	84,000 00
25, Senate Bill No. 6	20,000 00
21, Assembly Bill No. 874	1,500 00
23, Assembly Bill No. 870
23, Assembly Bill No. 877	20,000 00
23, Assembly Bill No. 878	50,000 00
25, Assembly Bill No. 86	13,000 00
25, Assembly Bill No. 741	10,000 00
22, Assembly Bill No. 253	45,000 00
22, Assembly Bill No. 248	1,845 00
21, Assembly Bill No. 940	15,000 00
25, Assembly Bill No. 192	8,500 00
20, Assembly Bill No. 675	50,000 00
25, Assembly Bill No. 693	36 98
25, Assembly Bill No. 694	21 00
25, Senate Bill No. 252
	\$321,377 98

Bills Reported Unfavorably.

Feb. 25, Assembly Bill No. 87	\$20,000 00
25, Assembly Bill No. 194	37,500 00
25, Assembly Bill No. 191	35,000 00
23, Assembly Bill No. 195	20,000 00
25, Assembly Bill No. 193	25,000 00
	\$137,500 00

Bills Reported Without Recommendation.

Feb 25, Assembly Bill No. 111
Assembly Bill No. 227	\$10,000 00
21, Assembly Bill No. 871	13,000 00
25, Senate Bill No. 461	13,000 00
Assembly Bill No. 232
Assembly Bill No. 449	3,000 00
	\$39,000 00

Bills Withdrawn

Feb. 21, Assembly Bill No. 344.....	\$10,000 00
25, Assembly Bill No. 63.....	20,000 00
	<hr/>
	\$30,000 00

Recapitulation.

Total appropriations referred to this committee to date.....	\$1,433,009 31
Total appropriations reported favorably.....	1,829,184 28
Total appropriations reported unfavorably.....	486,126 00
Total appropriations referred to other committees.....	408,845 00
Total appropriations reported without recommendation.....	154,500 00
Total appropriations reported with recommendation that they be withdrawn.....	526,542 05
Total appropriations remaining in the hands of this committee.....	1,027,811 98
Respectfully submitted.	

VALENTINE, Chairman.

Mr. Valentine moved that all Assembly bills contained in the foregoing report be ordered on Ways and Means special file, and the Senate bills placed on Senate special file.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric lighting, steam heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Senate Bill No. 252—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office, in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year;" to create the office of Expert to the Controller, and prescribing his compensation

Also: Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Also: Assembly Bill No. 694—An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year.

Also: Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles, and making an appropriation therefor

Also: Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State"

Also: Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 89—An Act to appropriate \$17,500 for the furnishing of the Administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same, to purchase an ice plant and cold-storage system; to make the necessary changes in attics to protect the hospital buildings against fire, to appropriate money therefor, and provide for the expenditure of the same

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended

Also: Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the Administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Also: Assembly Bill No. 195—An Act to provide for the erection and equipment of a commissary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Assembly Bill No. 194—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Assembly Bill No. 193—An Act to provide an adequate water supply for and to

the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Assembly Bill No 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No 449—An Act concerning a Veteran Volunteer Firemen's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and services as firemen of such veteran volunteer firemen.

Also: Senate Bill No 461—An Act authorizing the Governor and the Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Also: Assembly Bill No 232—An Act authorizing the Secretary of State to appoint a clerk in addition to the number now allowed by law, and to be known as Janitor's 'lark, and providing for the payment of his salary for the remainder of the fiftieth fiscal year

Also: Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same

Also: Assembly Bill No 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncancelled school land warrant issued under the Act of the State of California, approved May 3, 1862, providing for the disposal of the 500,000 acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893—have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman

Assembly Bills Nos. 192, 525, 694, 693, 741, 54, 86, 87, 195, 194, 193, 191, 449, 232, 227, 63, and 111 ordered on second-reading file.

Senate Bills Nos. 252, 6, and 461 ordered on Senate special file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 736, 957, 956, 954, 554, 870, and 611.

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Assembly Bill No 957—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays

Assembly Bill No. 956—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays

Assembly Bill No 954—An Act to amend Section 144 of the Code of Civil Procedure of the State of California, relating to holidays.

Assembly Bill No 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by various State institutions, commissions, and officers, and directing the disposition of the same

Assembly Bill No 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury a felony.

Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872; and to repeal an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento' approved March 25, 1872," approved March 9, 1877; and to repeal an Act entitled "An Act to amend Sections 1, 6, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the

redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889.

Also (reengrossed): Assembly Bills Nos. 538, 105, and 668.

Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act

Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing and granite or stone blocks for drains, culverts, and bridges for the same

RICKARD, Chairman

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 25, 1899. }

To the Assembly of the State of California

In my message to your honorable body of this date (February 25, 1899), disapproving Assembly Bills Nos. 287 and 288, a misconstruction of the bills appears in the message, owing to the ambiguity of the language of the bills, which error, in justice to the Clerk of the Supreme Court, I desire to correct

The message referred to states that by the said Assembly Bills Nos. 287 and 288 an additional stenographer is created, thereby increasing the salary to be paid to the deputies in the aggregate annual sum of \$2,400. This, however, is incorrect, as there is but one office created, namely, that of chief deputy, with an annual salary of \$2,400, and one of the other six deputies (designated therein as a stenographer) is to receive a salary reduced to \$1,200, so that the aggregate annual increase is \$1,800.

Notwithstanding this correction, my views as to a necessity for any increase in the number of deputies in the office remain unchanged, and I am still of the opinion that at this time there is no urgent necessity for this deputy

HENRY T. GAGE,
Governor of the State of California.

RESOLUTION.

By Mr. Johnson:

Resolved, That the Sergeant-at-Arms is hereby instructed to prepare and put in place a properly lighted telephone booth for the use of the Assembly

Resolution adopted.

MOTIONS.

Mr. Dibble moved that Assembly Bill No. 839 be re-referred to Committee on Judiciary, and retain its place on file.

So ordered.

Mr. Dibble moved that the exclusive use of the Assembly Chamber be granted to the Republican members of the Senate and Assembly for a conference at 4 P. M. to-day.

So ordered.

RESOLUTIONS.

By Mr. Dibble:

Resolved, That it is the sense of the Assembly that no committees should be excused during the remainder of the session, and that no committee should be allowed to sit, except conference committees, during the sessions of the House; also, that no member should be excused from attendance, except for sickness of himself or family.

Resolution adopted.

By Mr. Cargill:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of C. W. Kyle, Chief Clerk of the Assembly, for the sum of \$140, for the purpose of paying for postage, telegraphing, rubber stamps, rubber stamp utensils, and expressage during

the present session of the Assembly, and the State Treasurer is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Ways and Means.

PETITION—(OUT OF ORDER).

Resolved by Glen Ellen Grange, assembled in regular session this, the 20th day of January, 1899, That in behalf of the producers of Sonoma County and the State of California, we demand the same economy in the conduct of the various offices of this Commonwealth that is a marked feature in the management of all successful business concerns; and be it further

Resolved, That with this object in view we demand that all useless commissions and sinecure positions be abolished, and that the salaries of all State officials and their deputies be so adjusted as to secure a reduction of at least 25 per cent—in short, less favors for tax-eaters and immediate relief to taxpayers, thus offering better inducement to capital and new settlers;

Resolved, That other granges be requested to take similar action.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that Assembly Bill No. 528—An Act to amend an Act entitled "An Act to establish a Political Code by adding thereto a new section, to be numbered 1818a, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto—has been correctly enrolled, and was presented to the Governor on February 27, 1899, at ten o'clock and forty-five minutes A. M.

RICKARD, Chairman

SPECIAL ORDERS.

Assembly Joint Resolution No. 23—Relative to preparing a memorial to the Legislatures of the several States requesting a petition to Congress for amendments to the National Constitution providing for the election of United States Senators by direct vote of the people

Also: Assembly Joint Resolution No. 24—Relative to preparing an application to the Congress of the United States to call a convention for submitting amendments to the National Constitution concerning the election of Senators of the United States by direct vote of the people.

Mr. Caminetti moved that the further consideration of Assembly Joint Resolutions Nos. 23 and 24 be continued until to-morrow.

So ordered.

Mr. Dibble moved that the special order, consideration of Assembly Bill No. 988, set for three o'clock P. M. this day, be now considered.

So ordered.

Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State, etc.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Boynton, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cospier, Cowan, Crowder, Dale, De Lancey, Dibble, Feliz, Hanley, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Mihce, Miller of Los Angeles, Miller of San Francisco, Muentner, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—48

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 536—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BELSHAW, Chairman.

Senate Bill No. 536 ordered on Senate special file.

SPECIAL ORDERS—(RESUMED).

Consideration of Governor's veto to Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

Mr. Johnson moved that further consideration be made special order for next Saturday.

So ordered.

Mr. Rickard moved that the special order for next Friday—Assembly Bill No. 24—be now considered.

So ordered.

Consideration of Senate amendments to Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Mr. Rickard moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out the whole of subdivision 4 of Section 1524, on page 2 of Assembly Bill No. 24, and inserting the following:

"Sec 4 When the property is a cask, keg, bottle, vessel, siphon, can, case, or other package, bearing printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon the duly filed trademark or name of the person by whom, or in whose behalf, the search warrant is applied for, in the possession of any person, except the owner thereof, with intent to sell, traffic in, or refill the same, or in the possession of another to whom such person shall have delivered it, with such intent, and without such owner's consent, or unless the same shall have been purchased from the owner thereof; in which case it may be taken on the warrant from such person, or from any place occupied by him, or under his control, or from the possession of the person to whom he may have delivered it"

The question being on the concurrence in Senate amendment.

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Blood, Boynton, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cowan, Crowder, Dale, Dibble, Feliz, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kennelly, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKee, Mead, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, Muehler, Radcliff, Raub, Rickard, Robinson, Valentine, Wade, White, Works, and Mr Speaker—44.

NOES—None.

UNFINISHED BUSINESS.

Report of Committee on Attachés and Employés.

Passed on file.

Consideration of Governor's veto to Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Consideration of Governor's veto to Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create

and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

Consideration of Governor's veto to Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk, the deputy clerks, and stenographer of the Clerk of the Supreme Court."

Consideration of Governor's veto to Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court."

Consideration of Governor's veto to Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

Consideration of Governor's veto to Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1873, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, and 2608, all relating to establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Mr. Dibble moved that they be made special order for Thursday, March 2, 1899.

So ordered.

Assembly Bill No. 118—An Act to regulate the practice of horse-shoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Pending consideration of Assembly Bill No. 118. Mr. Wade offered the following resolution:

RESOLUTION-- (OUT OF ORDER).

Resolved, That the Chief Clerk be instructed to inform the Senate that the Committee of Conference on Assembly Bill No. 118, not having been formally discharged, but its report having been indefinitely postponed by the Assembly, it is not in order to appoint a free conference committee on said bill and amendment; nor is it in order for the Assembly to reconsider its action thereon; that no discourtesy toward the Senate was intended, nor does the Assembly concede that its action was either unparliamentary, irregular, or inconsistent with the Joint Rules of the Senate and Assembly.

Resolution adopted.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works

of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Passed on file.

Senate Concurrent Resolution No. 9—Relative to the suspension of Joint Rule XXXVI.

Passed on file.

SPECIAL FILE.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Pending consideration of Assembly Bill No. 996, Mr. Valentine moved that it be made a special order immediately after Senate special file on Thursday.

So ordered.

Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury, a felony.

Read third time.

The following amendment was submitted:

Amend by striking out all after the word "*provided*," in line 29, and adding the following: "nothing in this Act shall prevent the Treasurer from breaking the seal if he needs the money stored therein to conduct the business of his office."

Pending consideration of the amendment, Mr. Caminetti moved that the further consideration of Assembly Bill No. 870 be made a special order for to-morrow.

So ordered.

Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State received by various State institutions, commissions, and officers, and directing the disposition of the same.

Read third time.

Pending roll call, Mr. Hanley moved that the bill be passed on the file.

Motion lost.

Mr. Valentine moved that the bill be made a special order for three o'clock and thirty minutes P. M. to-day.

So ordered.

Assembly Bill No. 874—An Act making an appropriation to purchase a safe, or provide an inner vault in the vault of the State Treasury, to be used in counting money in the State Treasury.

Passed on file.

RECESS.

At eleven o'clock and forty-five minutes A. M., on motion of Mr. Wade, the Assembly took a recess until eleven o'clock and fifty-eight minutes.

RECONVENED.

At twelve o'clock M., the Assembly reconvened.
Speaker Anderson in the chair.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 27, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luch-singer, Maggard, Morehouse, Nutt, Rowell, Shortridge, Simpson, Sims, Stratton, Taylor, Trout, and Wolfe—32.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Cammett, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, DeLancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Julson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—74

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, February 25, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, February 25, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4
For R. N. Bulla—Senators Gillette and Taylor—2.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7
For Thomas R. Bard—Senators Flint and Rowell—2.
For John Rosenfeld—Senator Feeney—1
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Davis, Doty, Dwyer, La Rue, Pace, and Sims—10.
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received.....	4 votes.
R. N. Bulla received.....	2 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	7 votes.
Thomas R. Bard received.....	2 votes.
John Rosenfeld received.....	1 vote
Stephen M. White received.....	10 votes.
James D. Phelan received.....	1 vote

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Clough, Knights, Knowland, Lardner, and Muentner—7
For M. M. Estee—Mr. Wade—1.
For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Julson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—18.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, and Works—19.
For Irving M. Scott—Mr. Dunlap—1.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Caminetti, Cowan, Feliz, Glenn, Griffin, Hanley, Mead, Meserve, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.
For James D. Phelan—Messrs. Burnett, Hoey, and O'Brien—3.
For John Rosenfeld—Mr. Crowley—1.
For Thomas R. Bard—Mr. Greenwell—1.

Whole number of votes cast by Assemblymen.....	74
W. H. L. Barnes received.....	7 votes
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	9 votes.
D. M. Burns received.....	18 votes.
U. S. Grant, Jr., received.....	19 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote
Stephen M. White received.....	13 votes.
John Rosenfeld received.....	1 vote.
James D. Phelan received.....	3 votes
Thomas R. Bard received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	109
Necessary to a choice.....	55
W. H. L. Barnes received.....	11 votes.
M. M. Estee received.....	1 vote.
R. N. Bulla received.....	11 votes.
D. M. Burns received.....	26 votes.
U. S. Grant, Jr., received.....	26 votes.
Thomas R. Bard received.....	3 votes.
Irving M. Scott received.....	1 vote.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	23 votes.
James D. Phelan received.....	4 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT

At twelve o'clock and five minutes P. M., Assemblyman Dibble moved to adjourn until Tuesday at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, February 28, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and sixteen minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Anderson in the chair.

MOTIONS.

Mr. Knights moved that Assembly Bill No. 933 be referred to Committee on Ways and Means.

So ordered.

Mr. Belshaw moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 721 (a case of urgency)—An Act to amend Section 1379 of the Political Code, relating to the election of delegates to conventions of political parties at elections known and designated as primary elections.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 721—An Act to amend Section 1379 of the Political Code, relating to the election of delegates to conventions of political parties at elections known and designated as primary elections.

Read first time, and referred to Committee on Election Laws.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Substitute for Senate Bill No. 227—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure

therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Substitute for Senate Bill No. 227—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

Read first time, and referred to Committee on Ways and Means.

At two o'clock and twenty-five minutes P. M., the Speaker called Speaker pro tem Dunlap to the chair.

SENATE SPECIAL FILE.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Ramb, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—58.

NOES—Messrs. Feliz, Huber, and Melick—3.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 220, 635, 732, 464, 469, 616, 339, 413, 619, 251, 472, 473, 474, and 11.

Assembly Bill No. 220—An Act to repeal Section 8 of an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences, or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876, and to make the provisions of said Act to apply to all the counties of this State.

Assembly Bill No. 635—An Act to regulate the practice of osteopathy in the State of California.

Assembly Bill No. 732 (Substitute for Assembly Bill No. 64)—An Act amending the Civil Code of the State of California, by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State of its property and franchises, or any part thereof, to any other railroad company, whether organized under the laws of this State or of any other State or Territory, or under any Act of Congress, and prescribing the conditions under which such property and franchises so sold may thereafter be operated and used.

Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate and the effect of such certificate.

Assembly Bill No. 469—An Act to amend Section 5 of an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assess-

ment plan; and the conduct of the business of such insurance," approved March 19, 1891

Assembly Bill No. 646—An Act to provide special quarters in county, city and county jails, city jails, or police stations, for juvenile prisoners.

Assembly Bill No. 339—An Act to authorize the insurance of all property of the University of California, held for purposes of income, against damage or loss.

Assembly Bill No. 413—An Act to amend Section 2222 of the Political Code.

Assembly Bill No. 619—An Act for the protection of forests, growing crops, buildings and other properties from destruction by fire

Assembly Bill No. 251—An Act to amend Section 1369 of the Code of Civil Procedure, relating to the appointment of administrators of deceased persons.

Assembly Bill No. 472—An Act to amend Section 1379 of the Code of Civil Procedure, relating to administration of estates of deceased persons.

Assembly Bill No. 473—An Act to amend Section 1618 of the Code of Civil Procedure of the State of California, relating to estates of deceased persons.

Assembly Bill No. 474—An Act to amend Section 1729 of the Code of Civil Procedure of the State of California, relating to Public Administrators

Assembly Bill No. 14—An Act providing for liens upon horses and other animals for the cost of shoeing the same

ARNERICH, Acting Chairman.

ON ELECTION LAWS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 721—An Act to amend Section 1379 of the Political Code, relating to the election of delegates to conventions of political parties at elections known and designated as primary elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BELSHAW, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Belshaw:

Resolved, That Senate Bill No. 721 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read first, second, and third times, and placed upon its passage

The question being upon the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, Devoto, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Works—59.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 721—An Act to amend Section 1379 of the Political Code, relating to the election of delegates to conventions of political parties at elections known and designated as primary elections.

Read first, second, and third times.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancia, Devoto, Dunlap, Feliz, Greenwell, Griffin, Hanley, Jilson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentz, O'Brien, Pierce, Radcliff, Raub, Raw, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and Works—50.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEE.

ON WAYS AND MEANS—(OUT OF ORDER)—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor; and to prescribe the punishment for a violation of the game laws of this State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, with the exception of Committee Amendment No. 4.

PIERCE.
WARDELL.
CAMINETTI.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 156 and 132:

Assembly Bill No. 156—An Act for the protection of horticulture, and to prevent the introduction into this State of insects or diseases or animals injurious to fruit or fruit trees, vines, bushes, or vegetables, and to provide for a quarantine for the enforcement of this Act.

Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

And were presented to the Governor February 27, 1899, at two o'clock and forty minutes P. M.

ARNERICH, Acting Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Read third time.

Mr. Dibble moved that a select committee of one be appointed to amend Senate Bill No. 72 as follows:

"*Provided*, that where the Board of Supervisors of any county, or of any city and county, or the City Council, or other governing body of any city, shall, by ordinance, order, or resolution, prescribe the fender or brake to be used as aforesaid, then a compliance with such ordinance, order, or resolution shall be deemed a full compliance with the provisions of this section."

Mr. Dibble moved that the amendment be printed in the Journal and lay over until to-morrow. February 28, 1899.

So ordered.

SPECIAL ORDER.

Mr. Valentine called up the special order for this hour:

Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by various State institutions, commissions, and officers, and directing the disposition of the same.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancey, Devoto, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—63.

NOES—Mr. Hoey—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hanley gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 554 was this day passed.

Assembly Bill No. 874—An Act making an appropriation to purchase a safe, or provide an inner vault in the vault of the State Treasury, to be used in counting money in the State Treasury.

Passed on file.

Assembly Constitutional Amendment No. 16—Proposing to the people of the State of California an amendment to Section 4 of Article I of the Constitution of the State of California, relating to the free exercise and enjoyment of religious worship.

The question being on the adoption of Assembly Constitutional Amendment No. 16.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Caminetti, Chynoweth, Crowder, Feliz, Hoey, Huber, Mead, O'Brien, Radcliff, and E. D. Sullivan—10.

NOES—Messrs. Atherton, Beecher, Belshaw, Blood, Burnett, Cargill, Clough, Conrey, Cosper, Dale, De Lancie, Dibble, Dunlap, Griffin, Julson, Johnson, Kelley, Kelsey, Kennelly, Knights, Knowland, La Bree, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Rickard, Robinson, Wade, Works, Wright, and Mr. Speaker—43

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 17—Relative to the mineral lands within the railroad land grants in California, and the segregation and reservation of such mineral lands—have had the same under consideration, and respectfully report the same back without recommendation.

DALE, Chairman.

Ordered on Senate special file.

At three o'clock and fifty minutes P. M., the Speaker resumed the chair.

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 197, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means.

CROWDER, Chairman.

Assembly Bill No. 197 referred to Committee on Ways and Means.

MOTION.

Mr. Sullivan moved that Assembly Bill No. 952 be referred to Committee on Public Health and Quarantine.

So ordered.

LEAVE OF ABSENCE.

Mr. Crowley was granted leave of absence for the rest of the day, on motion of Mr. Hanley.

RESOLUTION—(OUT OF ORDER).

By Mr. Kelley:

Resolved, That J. M. Kelley and M. Arnerich, representing the Committee on Ways and Means, be allowed \$9 60 each for mileage to Stockton, pursuant to a resolution of the

Assembly, and that the Controller be directed to draw his warrant in said sum in favor of said persons, payable out of the appropriation for the contingent expenses of the Assembly, and that the Treasurer be directed to pay the same

Resolution adopted.

At three o'clock and fifty-six minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your committee of conference, concerning Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof—report that we have met a like committee of the Senate, consisting of Senators Taylor, Chapman, and Leavitt, and we report that the conference committee have agreed upon the following amendments to the bill, and recommend their adoption, and that the Senate recede from its amendments to said bill:

AMENDMENT No 1

Add to the title the following, viz:

"Providing for the insertion of certain stipulations in contracts for public works, imposing penalties for violation of the provisions of this Act, and providing for the enforcement thereof."

AMENDMENT No. 2.

Add to Section 2 the following, viz.:

"Nothing in this Act shall be construed to authorize the collection of said penalty from the State or any political subdivision thereof"

HOEY, Chairman.
JOHNSON.
WORKS.

Report of committee of conference ordered printed in the Journal, and to go on unfinished business file.

REPORTS OF STANDING COMMITTEES

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 218, 775, 531, 515, 516, 517, 589, 681, 533, 66, 429, 731, 655, 980, 727, 106, 6, 437, 629, 305, 306, 325, 702, 487, 226, and 116

Assembly Bill No 218—An Act requiring the making and recording of maps of cities, towns, and additions to cities or towns and subdivisions of lands into small lots, or tracts, for the purposes of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded, and providing for the recording of maps now on file in Recorder's office

Assembly Bill No 775—An Act providing that certain Justices' Courts and Justices of the Peace shall have jurisdiction of cases of violation of city ordinances.

Assembly Bill No 531—An Act to punish parents, guardians, or persons permitting the malformation, etc., of minor children.

Assembly Bill No 515—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Assembly Bill No. 516—An Act to change and permanently locate the boundary line between the counties of Plumas and Tehama.

Assembly Bill No 517—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen

Assembly Bill No 589—An Act to establish, ratify, and confirm the north boundary line of San Mateo County between the counties of San Mateo and San Francisco, as the same was surveyed by Charles S. Tilton, William B. Gilbert, and D. Bromfield, between August 28 and December 28, 1898, to be the true boundary line between the counties of San Mateo and San Francisco, State of California.

Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890.

Assembly Bill No. 533—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Assembly Bill No. 66—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting up streets and public buildings in cities and towns in the State of California, approved March 26, 1895.

Assembly Bill No. 429—An Act to amend an Act entitled "An Act to provide for the letting of contracts for lighting of street and public buildings in cities and towns in the State of California," approved March 26, 1895, and amended March 27, 1897.

Assembly Bill No. 731—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending Sections 852, 862, 874, and 875 thereof.

Assembly Bill No. 685—An Act entitled "An Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as a slot machine within the State of California."

Assembly Bill No. 980—An Act to amend Section 3930 of the Penal Code, relating to the permanent boundary line between the counties of Amador and El Dorado.

Assembly Bill No. 727—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Assembly Bill No. 106—An Act to keep open natural channels not navigable, which run through agricultural lands, and are subject to overflow, to the injury of the land, and the duty of Boards of Supervisors in relation thereto.

Assembly Bill No. 6—An Act to amend an Act entitled "An Act to provide for the issuing of bonds by reclamation districts and the disposal thereof for reclamation and other purposes, and their payment by taxation upon the property situated in such reclamation districts," approved March 27, 1895.

Assembly Bill No. 437—An Act to amend Section 1 of "An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have an interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto.

Assembly Bill No. 629—An Act to add a new section to the Penal Code, said Section to be designated as Section 625½, relating to oil pipe-lines.

Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any and all moneys or assets for which such sureties are or may be held responsible.

Assembly Bill No. 306—An Act amending the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and designated as Section 1408, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining claims.

Assembly Bill No. 702—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the districts and property owners therein.

Assembly Bill No. 487—An Act to prescribe conditions upon which certain foreign insurance corporations, associations, partnerships, or individuals may be permitted to transact insurance business in the State of California.

Assembly Bill No. 226—An Act amending Section 2 of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, relating to the taking of samples from mines, and for the better protection of the stockholders in mining corporations.

Assembly Bill No. 116—An Act entitled "An Act to prohibit the sale or offering for sale or bringing into the State, for the purpose of sale or giving away, of any cigarettes, cigarette paper, or substitute therefor."

ARNERICH, Acting Chairman.

Assembly Bills Nos. 218, 775, 531, 515, 516, 517, 589, 681, 533, 66, 429, 731, 685, 980, 727, 106, 6, 437, 629, 305, 306, 325, 702, 487, 226, and 116 ordered on third-reading file.

THIRD-READING FILE.

Assembly Bill No. 691 (Substitute for Assembly Bill No. 75)—An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California, of any article of commerce other

than jute bags and broken stones, and materials for State and county roads only, and articles consumed in the State institutions.

Title read and approved.

Assembly Bill No. 172—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court.

Passed on file.

Assembly Bill No. 320—An Act to amend an Act entitled "An Act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, and straightening and otherwise improving the same, and to authorize the Boards of Supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, enlarging the discretion of Boards of Supervisors concerning such districts and improvements.

Passed on file.

Assembly Bill No. 58—An Act to amend Sections 3546 and 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Passed on file.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Mr. Johnson moved that Assembly Bill No. 552 be substituted for Assembly Bill No. 275, and now considered.

So ordered.

Assembly Bill No. 552—An Act placing all companies selling certificates, bonds, or debentures with coupons attached thereto, on the partial payment or installment plan, doing business in this State, under the supervision and control of the State Board of Bank Commissioners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Griffin, Hoey, Jilson, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, Muenter, Pierce, Raub, Raw, Robinson, Stewart, Eugene Sullivan, Wade, Works, Wright, and Mr. Speaker—48

NOES—None.

Title read and approved.

Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brooke, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Feliz,

Griffin, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—53.

NOES—Messrs. Belshaw and Hanley—2.

Title read and approved.

Assembly Bill No. 480—An Act to amend Section 397 of the Penal Code, relating to the selling of liquor to habitual or common drunkards, minor children, idiots, insane or incompetent persons, and Indians, and relating to minors being allowed to remain in and about saloons and drinking places.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Cobb, Cosper, Cowan, Crowder, Dale, Dibble, Feliz, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Robinson, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 261, 997, and 998.

Assembly Bill No. 261—An Act to amend the Penal Code by adding a new section thereto, to be numbered 543½, relating to the unauthorized wearing of badges, buttons, and rosettes of societies.

Assembly Bill No 997—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Assembly Bill No. 998—An Act to provide for an appropriation for pay of officers and clerks of the Assembly.

And were presented to the Governor February 27, 1899, at eight o'clock and fifteen minutes P. M

ARNERICH, Acting Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 37—An Act relating to certain contracts, conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Caminetti, Cobb, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Greenwell, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Robinson, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 382—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by

amending Section 170 thereof, relating to the disqualification of Judges of the Superior Court of the State of California to sit or act on the trial or hearing of certain actions or proceedings.

Passed on file.

At eight o'clock and forty-five minutes P. M., the Speaker called Mr. Wade to the chair.

Assembly Bill No. 500—An Act to amend Section 472 of the Political Code of California, relating to Attorney-General.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Boynton, Brooke, Burnett, Caminetti, Cargill, Conrey, Cowan, Crowder, Dale, Devoto, Dunlap, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Knights, Knowland, La Barea, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Robinson, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—49.

NOES—Mr. Cosper—1.

Title read and approved.

Assembly Bill No. 267—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Brooke, Caminetti, Clough, Cowan, Dunlap, Feliz, Griffin, Hoey, Huber, Jilson, Johnson, Knights, Knowland, Lardner, Lundquist, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Wade, Works, and Wright—30.

NOES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Burnett, Cargill, Conrey, Cosper, Crowder, Dale, Devoto, Greenwell, Hanley, La Barea, Le Baron, Marvin, McDonald of Tuolumne, Mead, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Robinson, Stewart, E. D. Sullivan, Wardell, and White—28.

NOTICE OF MOTION TO RECONSIDER.

Mr. Burnett gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 267 was this day refused final passage.

Assembly Bill No. 576 (Substitute for Assembly Bill No. 70)—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and disposal of their proceeds," approved March 31, 1891, the amendment of said section relating to the issuance of bonds.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Clough, Conrey, Cosper, Cowan, Dale, Devoto, Dunlap, Feliz, Greenwell,

Griffin, Hanley, Huber, Jilson, Johnson, Kelley, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Stewart, Eugene Sulhvan, E. D. Sullivan, Wade, Wardell, White, and Wright—53

NOES—None.

Title read and approved.

Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Read third time.

Mr. White moved that a select committee of one be appointed to amend Assembly Bill No. 60 as follows:

Amend printed bill by striking out of line 8, Section 1, the words "the same price," and inserting in lieu thereof the words "two and one half dollars per acre"

Also: Amend line 19, printed bill, by striking out the words "three hundred and twenty," and inserting in lieu thereof the words "one hundred and sixty."

Motion carried, and it was so ordered.

Mr. White was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER. Your select committee of one, to whom was referred Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

WHITE, Committee.

Assembly Bill No. 60 ordered to print and recngrossment.

Assembly Bill No. 150—An Act to amend Section 1 of an Act of the Legislature of the State of California, entitled "An Act relating to estrays, and repealing all other Acts and parts of Acts now in force, relating to estrays," approved March 27, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, and Works—52.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald of Alameda gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 150 was this day finally passed.

Mr. Dibble moved that No. 124 on file—Assembly Bill No. 260—be now considered instead of Assembly Bill No. 577—No. 67 on file.

So ordered.

Assembly Bill No. 260—An Act to amend an Act entitled “An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State, who may hereafter die without leaving sufficient means to defray funeral expenses,” approved March 15, 1889.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beccher, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Crowder, Dale, Dibble, Dunlap, Feliz, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Knowland, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Percé, Raub, Robinson, Sanford, E. D. Sullivan, Wade, Wardell, White, and Works—43.

NOES—Mr. Le Baron—1

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Wardell gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 260 was this day finally passed.

MOTION.

Mr. Arnerich moved that Assembly Bill No. 232 be restored to its place on Ways and Means special file.

So ordered.

THIRD-READING FILE—(RESUMED.)

Assembly Bill No. 584 (Substitute for Assembly Bill No. 426)—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Read third time, and passed on file.

ADJOURNMENT.

At ten o'clock and twenty minutes P. M., on motion of Mr. Hanley, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, February 28, 1899.

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IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 28, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan,

Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Fehz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

LEAVE OF ABSENCE.

Mr. Fairweather was granted leave of absence for the day, on motion of Mr. Atherton.

Mr. Crowly was granted leave of absence for the day, on motion of Mr. Hoey.

Mr. Rickard was granted leave of absence for the day, on motion of Mr. Dibble.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Belshaw.

The Journal of Friday, February 24, 1899, was read and approved.

CORRECTION OF JOURNAL.

Mr. Dibble moved to correct the Journal of Friday, February 24, 1899, as follows: "Expunge all after the last roll call, which disclosed no quorum."

Motion carried, and it was so ordered.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 233—An Act to amend Section 792 of the Political Code of the State of California, relating to notaries public—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 680—An Act to amend Sections 537, 538, and 539 of the Code of Civil Procedure, relating to attachments—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 99—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to foreclosure and sale of mortgaged lands—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 209—An Act to amend Section 1299 of the Code of Civil Procedure of the State of California, relating to petitions for probate of will—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 210—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to proceedings on production of foreign will—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 467—An Act to amend Section 1324 of the Code of Civil Procedure, relating to hearing proofs of probate of foreign wills—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 386—An Act to add a new section to the Civil Code of the State of California, to be known and designated as Section 2973, relating to the sale of personal property when the title thereof is reserved in the vendor until it is paid for—report the same back, with recommendation that it do not pass.

Also: Senate Bill No. 93—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 3748, 3758, and 3759 of

said Political Code, and by repealing Section 3762 of said Code, all relating to revenue and taxation.

Also: Assembly Bill No. 941—An Act to amend Section 165 of the Penal Code of this State.

Also: Assembly Bill No. 908—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Report the same back, with recommendation that they do pass.

JOHNSON, Chairman.

Senate Bill No. 93 ordered on Senate special file.

Assembly Bills Nos. 233, 680, 386, 941, 908, 99, 209, 210, and 467 ordered on second-reading file.

Mr. Caminetti moved that the Assembly proceed with the third-reading file this evening where it was discontinued last night.

So ordered.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your committee of conference concerning Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—report that we have met a like committee of the Senate, consisting of Senators Cutter, Sims, and Davis, and we report that the committee of conference failed to agree, and recommend the appointment of another committee.

COBB, Chairman.

Report adopted.

Mr. Dibble moved that another committee of conference be appointed for the further consideration of Senate Bill No. 56.

So ordered.

Messrs. Cobb, Caminetti, and McDonald of Tuolumne were appointed such a committee of conference.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 206 (a case of urgency)—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Also: Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen.

Also: Assembly Bill No. 250—An Act to amend Section 3608 of the Political Code of the State of California, relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections Nos. 3609 and 3610, also relating to the general revenue of the State, and to property liable to taxation for the purpose of revenue.

Also: Assembly Bill No. 458—An Act to amend the Penal Code by adding a section thereto to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution.

Also: Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery association," approved April 28, 1859, authorizing such association to erect, purchase, or lease buildings and turnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead, to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead and bodies liable, if interred, to spread disease.

Also: Assembly Bill No. 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire-escapes on school buildings.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary

Senate Bill No. 206 read first time, and referred to Committee on Public Buildings and Grounds.

Assembly Bills Nos. 354, 324, 250, 458, 151, and 420 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½ relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract of land upon which the same was assessed) upon subsequent assessments—and respectfully ask the concurrence of your honorable body in said amendments

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Mr. Raub moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 257:

Strike out Section 1, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code, to be known and designated as section three thousand four hundred and sixty-six and one half, to read as follows:

"3466½. In all cases in which an assessment shall have been levied since October first, eighteen hundred and ninety-six, or shall hereafter be levied, for reclamation purposes, upon the lands embraced within any reclamation district, and the assessment shall have thereafter been, or shall be, adjudged invalid, by any court of competent jurisdiction, and any landowner of the district shall have paid the amount assessed, in said assessment, against land belonging to him, before said assessment shall have been, or shall be, so adjudged invalid, the amount so paid by said landowner, together with the legal interest thereon from the date of its payment, shall be credited, by the Treasurer of the county in which said land is situated, to the tract of land on which the same was paid, and shall be applied upon any assessment thereafter levied on the lands of the district, to the payment, pro tanto, of the amount therein assessed against said tract of land."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Chynoweth, Clark, Conrey, Cowan, Dibble, Greenwell, Hanley, Hoey, Johnson, Kelsey, Knowland, La Bree, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Radcliff, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 257 ordered to reengrossment and enrollment.

RESOLUTIONS.

By Mr. Dunlap:

Resolved, That the following persons, viz. William C. Guirey and Ed J. Smith, be and they are hereby appointed Assistant Clerks at the desk, to perform necessary duties under the direction of the Chief Clerk, and to receive the same per diem as is paid to the other Assistant Clerks at the desk, said per diem to be paid out of the appropriation for the contingent expenses of the Assembly; and be it further

Resolved, That the appointment of said William C. Guirey and said Ed J. Smith date from and including Saturday, February 18, 1899

Mr. Belshaw moved that the resolution be referred to Committee on Attachés and Employés, with instructions to investigate the matter therein contained, and to make a report thereon to the Assembly on to-morrow.

So ordered.

By Mr. Johnson:

Resolved, That each State officer shall receive two copies each of all bills, concurrent resolutions, and constitutional amendments introduced in the Senate, except the State Librarian, who shall receive five copies of each, and that Joseph Gratz be and he hereby

is appointed to deliver the same and keep the file for each State officer, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Mr. Belshaw: Assembly Concurrent Resolution No. 19—Relative to adjournment.

Read, and referred to Committee on Ways and Means.

SPECIAL ORDERS.

Assembly Joint Resolution No. 23—Relative to preparing a memorial to the Legislatures of the several States requesting a petition to Congress for amendments to the National Constitution, providing for the election of United States Senators by direct vote of the people.

Assembly Joint Resolution No. 24—Relative to preparing an application to the Congress of the United States to call a convention for submitting amendments to the National Constitution, concerning the election of Senators of the United States by direct vote of the people.

Mr. Johnson moved that further consideration of Assembly Joint Resolutions Nos. 23 and 24 be continued until to-morrow.

So ordered.

MOTION.

Mr. Hoey moved that the Assembly do now consider Senate message.
So ordered.

MESSAGE FROM THE SENATE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted and concurred in the report of the committee of conference on Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof—by adopting the amendments thereto

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

Report adopted.

Assembly Bill No. 366 ordered to print and engrossment.

Mr. Dibble moved that a message be transmitted to the Senate in respect to Assembly Bill No. 366, informing the Senate that the Assembly declines to consider new amendments to the bill proposed by the committee of conference, the bill not having been sent to a free conference.

Also: Requesting the Senate to reconsider its action in adopting new amendments proposed by the conference committee.

Also: Requesting the Senate to discharge the committee of conference, and to consent to a free conference.

So ordered.

Assembly Bill No. 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States Volunteer service in the Spanish-American War of 1898, their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Boone, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Cobb, Cospers, Cowan, Crowder, Dibble, Dunlap, Feliz, Glenn, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Robinson, Stewart, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

At eleven o'clock and five minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

UNFINISHED BUSINESS.

Report of Committee on Attachés and Employés.

Mr. Cospers moved that the report of the committee be adopted.

Mr. Lardner moved to amend as follows:

Strike out the figures "\$136" in said resolution, page 4 of Journal of February 25, 1899, and insert in lieu thereof the figures and words "\$96, the same being pay for services from January 16, 1899, to February 9, 1899, in accordance with the directions contained in Assembly resolution of date February 17, 1899."

Amendment adopted.

The question now recurring on the adoption of report of the committee as amended.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clough, Cobb, Cospers, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Eugene Sullivan, Wade, Works, and Wright—58.

NOES—Mr. Melick—1.

NOTICE OF MOTION TO RECONSIDER.

Mr. Cospers gave notice that on to-morrow, when the order comes up, he would move a reconsideration of the vote whereby the report of Committee on Attachés and Employés was this day adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 96, 291, and 444.

Assembly Bill No. 96—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Assembly Bill No. 291—An Act to enable corporations owning property in foreign countries to dispose of the same.

Assembly Bill No. 444—An Act to amend Section 1444 of the Code of Civil Procedure, in relation to the appraisements of estates of deceased persons.

And were presented to the Governor February 28, 1899, at eleven o'clock A. M.

MILICE, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 947, 460, 780, 527, 873, 897, 818, 829, 779, 100, 262, 593, 632, 899, 847, 887, 888, 920, 217, 698, 600, 684, 757, 758, 49, 765, 938, 892, 746, 793, 654, 824, 519, 704, 537, 285, 807, 686, 713, 729, 882, 434, 627, 703, 787, and 530.

Assembly Bill No. 947—An Act to amend Sections 3086 to 3262 (both inclusive) of the Civil Code, relating to negotiable instruments

Assembly Bill No. 460—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Assembly Bill No. 780—An Act to amend Section 647 of the Penal Code of California, relating to vagrants.

Assembly Bill No. 527—An Act authorizing the Boards of Supervisors of all counties in this State to refund the indebtedness of said county, to issue bonds therefor, and to provide for the payment of the same.

Assembly Bill No. 873—An Act defining the duties of certain officers of the Assembly in the assignment of seats to members thereof.

Assembly Bill No. 897—An Act to amend Sections 9 and 10 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of water works, sewers, and public improvements."

Assembly Bill No. 818—An Act to amend Section 833 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorders.

Assembly Bill No. 829—An Act to amend Section 1 of an Act entitled "An Act to amend Section 862 of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883."

Assembly Bill No. 779—An Act to amend Section 667 of the Penal Code of the State of California, relating to second offenses after conviction of former offenses

Assembly Bill No. 100—An Act to authorize the purchase or condemnation of lands for streets, when less than the distance between two streets is required, and when the improvement to be effected thereby is not properly chargeable on a particular district

Assembly Bill No. 262—An Act providing for the abandonment of operations by irrigating districts, and for the disorganization of the same upon the discharge of their obligations, and for the sale of the property belonging to the same for the purpose of discharging any outstanding obligations.

Assembly Bill No. 893—An Act to prohibit the forcing of air in and through mains and pipes for supplying illuminating gas, and providing a penalty therefor

Assembly Bill No. 632—An Act to amend Section 629 of the Civil Code, relating to gas corporations

Assembly Bill No. 899—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads

Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts

Assembly Bill No. 887—An Act relating to estrays and trespassing animals, and repealing all other Acts and parts of Acts now in force relating to estrays.

Assembly Bill No. 888—An Act relating to the protection of highways, and repealing all other Acts and parts of Acts inconsistent with or in conflict with this Act

Assembly Bill No. 920—An Act to regulate the practice of electro-therapeutics in the State of California.

Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893, for the payment of delinquent taxes for such years; providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption; authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales; providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities

Assembly Bill No. 698—An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 4506, 4507, 4508, 4509, 4510, 4511, 4512, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538, 4539, 4540, 4541, 4542, all relating to the establishment of a Board of State Harbor Commissioners for the Port of Wilmington and Bay of San Pedro

Assembly Bill No. 600—An Act to add a new section to the Penal Code of this State, to be numbered —, relating to the preservation of game

Assembly Bill No. 684—An Act to prevent the propagation of disease through contamination of the atmosphere by gases or fumes arising from crematories for the disposition of garbage, ashes, offal, and other refuse matter, and to prescribe penalties.

Assembly Bill No. 757—An Act to add a new section to the Civil Code, to be known as Section 653½

Assembly Bill No. 758—An Act to amend Sections 649 and 650 of the Civil Code

Assembly Bill No. 49—An Act to establish uniform rates to be charged by telephone companies in cities or cities and counties having over 50,000 inhabitants.

Assembly Bill No. 765—An Act to amend an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, extending the time during which the Board of Directors may sit as a Board of Equalization.

Assembly Bill No. 938—An Act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State treasury, and the return thereof of such funds

Assembly Bill No. 892—An Act to provide for the appointment of an unsalaried commission to investigate and report upon methods for the preservation of the forests of the State.

Assembly Bill No. 746—An Act to add a new section to the Penal Code of the State of California, to be numbered 473½, relating to public nuisances.

Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning buildings and other property not subject to arson, and specifying the penalty therefor.

Assembly Bill No. 634—An Act to amend the Civil Code of the State of California, by adding a new section, to be designated and numbered Section 1716.

Assembly Bill No. 824—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Assembly Bill No. 519—An Act to amend Section 874 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to notice for bids for public work and public printing.

Assembly Bill No. 704—An Act to require certain county officers to perform the duties of certain city officers when the city so elects.

Assembly Bill No. 537—An Act to amend Sections 757 and 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 235—An Act allowing any County, City, or Town Treasurer to deposit public funds or moneys paid into his hands in incorporated State banks.

Assembly Bill No. 807—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State Prisons, of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroner's inquests held on the body of any person confined in such prisons and schools.

Assembly Bill No. 686—An Act to amend Section 2 of an Act entitled "An Act to require an inventory of the State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Assembly Bill No. 713—An Act for the protection and propagation of pheasants

Assembly Bill No. 729—An Act authorizing the appropriation of moneys by the several counties, and cities and counties, and municipal corporations for the purpose of advancing and maintaining their respective interests, by exhibit of products and otherwise at the Pacific Ocean and International Exposition.

Assembly Bill No. 832—An Act to amend an Act entitled "An Act to establish an Industrial Home of Mechanical Trades"

Assembly Bill No. 434—An Act providing for the filing and recording of maps and plats and the field notes thereof of lots, subdivisions, and blocks of real property, and the surveys thereof, in the County Recorder's office, and providing for the use of such for evidence.

Assembly Bill No. 627—An Act to amend Section 876 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 703—An Act to add a new section to an Act entitled "An Act to provide for work upon streets, lanes, courts, alleys, places, and sidewalks, and for the construction of sewers within municipalities," approved March 13, 1885, to be known as Section 54 of said Act, validating certain assessments and permitting suits to be brought upon the same

Assembly Bill No. 787—An Act to establish uniform rates to be charged by any company or corporation doing business within municipal corporations exceeding 50,000 inhabitants in the State of California, for furnishing electric lights to the inhabitants thereof, and establishing the method of fixing said rates

Assembly Bill No. 530—An Act to provide for the sweeping, cleaning, and sprinkling of streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

ARNERICH, Acting Chairman

Mr. Dibble moved that the reports of the Committee on Engrossment and Enrollment be printed in the Journal, and that the numbers of all bills engrossed be placed upon the blackboard.

So ordered.

Mr. Cowan moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to amend Section 1704 of the Code of Civil Procedure."

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred Assembly Bill No. 999, herewith return said bill, with the recommendation that the author be permitted to introduce the same.

COBB, Chairman.

Mr. Cowan moved that Assembly Rule LXXVI be suspended for the purpose of introduction of bills.

So ordered.

Mr. Cowan moved that the constitutional provision relative to the introduction of bills after the fiftieth day be suspended for the purpose of introducing Assembly Bill No. 999.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Cammetti, Cargill, Chynoweth, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Julson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—61.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Cowan: Assembly Bill No. 999—An Act to amend Section 1704 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 28, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Kelz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—75

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, February 27, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, February 27, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Dickinson, Luchsinger, Morehouse, and Stratton—4.
For R. N. Bulla—Senator Taylor—1.
For D. M. Burns—Senators Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—7.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Nutt, Smith, and Trout—6.
For Thomas R. Bard—Senators Flint and Rowell—2.
For Irving M. Scott—Senator Davis—1.
For John Rosenfeld—Senator Feeney—1.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	34
W. H. L. Barnes received	4 votes.
R. N. Bulla received	1 vote.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	6 votes.
Thomas R. Bard received	2 votes.
Irving M. Scott received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	11 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Brown, Clough, Knights, Knowland, Lardner, and Muentner—8.
For M. M. Estee—Mr. Wade—1.

For R. N. Bulla—Messrs. Belshaw, Boynton, Conrey, Cosper, La Baree, Melick, Miller of Los Angeles, Robinson, and Valentine—9.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—18.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lance, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Raub, Raw, and Works—19

For Irving M. Scott—Mr. Dunlap—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For Thomas R. Bard—Mr. Greenwell—1.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	8 votes.
M. M. Estee received	1 vote.
R. N. Bulla received	9 votes.
D. M. Burns received	18 votes.
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	1 vote.
Marion De Vries received	1 vote
Stephen M. White received	16 votes.
John Rosenfeld received	1 vote
James D. Phelan received	2 votes.
Thomas R. Bard received	1 vote

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	111
Necessary to a choice	56
W. H. L. Barnes received	12 votes.
M. M. Estee received	1 vote
R. N. Bulla received	10 votes.
D. M. Burns received	25 votes.
U. S. Grant, Jr., received	25 votes.
Thomas R. Bard received	3 votes
Irving M. Scott received	2 votes
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	27 votes.
James D. Phelan received	3 votes

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress

ADJOURNMENT.

At twelve o'clock and twenty-two minutes P. M., Assemblyman Radcliff moved to adjourn until Wednesday at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Wednesday, March 1, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-four minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 72—An Act to promote the safety of employés and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Pending—the following amendment offered on yesterday:

"*Provided*, that where the Board of Supervisors of any county, or of any city and county, or the City Council or other governing body of any city, shall, by ordinance, order, or resolution, prescribe the fender or brake to be used as aforesaid, then a compliance with such ordinance, order, or resolution shall be deemed a full compliance with the provisions of this section."

The question being on Mr. Dibble's motion to appoint a select committee of one to amend.

Messrs. Dibble, Dale, and Sanford demanded the ayes and noes.

The roll was called, and the Assembly ordered the appointment of the select committee of one by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Devoto, Dibble, Dunlap, Griffin, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Marvin, McDonald of Alameda, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Raub, Robinson, E. D. Sullivan, Valentine, Works, Wright, and Mr. Speaker—45.

NOES—Messrs. Atherton, Boone, Brown, Burnett, Caminetti, Dale, De Lancie, Fairweather, Feliz, Glenn, Hanley, Hoey, Lardner, Mead, Meserve, Milice, O'Brien, Radcliff, Raw, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, and White—25.

Mr. Dibble was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 72—An Act to promote the safety of employés and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DIBBLE, Committee.

Report adopted.

Mr. Crowder moved to appoint a select committee of one to amend the bill as follows:

Amend by striking out the words "or towns or on county roads," and inserting in lieu thereof the words "of the first class."

Motion lost.

Bill ordered to print.

Mr. Belshaw moved that Assembly do now consider messages from the Senate.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 20—Relative to the construction of Pacific cable, and requesting that Congress require the same to be of American make.

SENATE JOINT RESOLUTION No. 20.

Relating to construction of Pacific cable, and requesting that Congress require the same to be of American make.

WHEREAS, There are now pending in Congress measures for the laying of a submarine cable from some point in the State of California across the Pacific Ocean; and

WHEREAS, The construction of the same will be of great benefit to the United States and to this State; and

WHEREAS, If the cable is made by an American company in the United States it will favorably advertise our manufactures abroad and give employment to a great number of our citizens; now, therefore, be it

Resolved by the Senate and the Assembly, jointly, That our Senators in Congress be instructed, and our Representatives therein be requested and urged, to vote for and use all honorable means to secure the passage of a bill requiring the laying of such cable, and also requiring that the cable be made by an American company in the United States; and be it further

Resolved, That a copy of this resolution be forwarded by telegraph to the Hon. George C. Perkins, and that he be requested to deliver a copy of the same to each member of the California delegation in Congress.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. Burnett moved to amend the resolution as follows:

Add the following: "and that it be constructed, owned, and operated by the United States Government."

Amendment lost.

Resolution read and adopted.

MOTIONS.

Johnson moved that the Committee on Ways and Means report back the resolution *in re adjournment sine die*.

So ordered.

Mr. Valentine was granted unanimous consent to now consider Assembly Bill No. 581.

Assembly Bill No. 581—An Act to provide payment of costs of suit in foreclosing delinquent purchasers of State school lands, and make appropriations therefor.

Read third time.

Mr. Valentine moved to refer Assembly Bill No. 581 to a select committee of one, with instructions to amend as follows.

In Section 1, line 22, strike out the letter "A" in the word "Aster," and insert the letter "O" making it read "Oster."

Also: In Section 1, lines 19 and 20, strike out the words "J. J. Snyder, eighty-nine and sixty-four one hundredths dollars."

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 581, with instructions to amend, now reports that the instructions of the Assembly have been carried out

VALENTINE, Committee

Report adopted.

Mr. Caminetti moved that at four o'clock p. m. the Republican members of the Legislature be given the exclusive use of the Assembly Chamber.

So ordered.

Mr. Valentine moved to reconsider the vote whereby Assembly Bill No. 554 was on yesterday finally passed, notice of reconsideration having been given by Mr. Hanley on last legislative day.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Mr. Hanley—1

NOES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowly, Dale, De Lancie, Devoto, Feliz, Glenn, Henry, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of

Alameda, McKeen, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, White, Works, Wright, and Mr Speaker—53

RESOLUTION—(OUT OF ORDER).

By Mr. Works:

Resolved, That Clark Alberti be and he is hereby appointed an Assistant Clerk of the Assembly, said appointment to date from and including February 9, 1899, at which time his services began, at the same per diem as is paid other Assistant Clerks of the Assembly. The Controller of State is hereby directed to draw his warrants for said per diem, payable out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

At four o'clock and ten minutes p. m., on motion of Mr. Wright, the Assembly took a recess until eight o'clock p. m.

REASSEMBLED.

The Assembly reconvened at eight o'clock p. m.
Speaker Anderson in the chair.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 28, 1899

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 24—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Also: Substitute for Senate Bill No. 227—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on covote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

Have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No. 215—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also: Senate Bill No. 324—An Act appropriating \$5,000 to pay the claim of Addie McGinness

Also: Assembly Bill No. 939—An Act to appropriate \$1,125 to pay the unpaid salary of the late Dennis Spencer, as attorney for the State Board of Health and the Board of Health of the City and County of San Francisco, from July 15, 1893, until and including November 30, 1895

Also: Assembly Bill No. 886—An Act to appropriate money to pay the Oakland Enquirer Publishing Company for printing 1,000 copies of reports of the California Voting Machine Commission, which work was performed under contract with C. B. Morgan, secretary of said commission, under authority of the California Voting Commission.

Also: Assembly Bill No. 977—An Act to appropriate moneys for the purpose of erecting a monument over the grave of the late Levi Rackliffe, Treasurer of State, in the State burial ground, who died during his term of office, April 21, 1898.

Also: Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor

Also: Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School of San Diego, for mileage in attending the meetings of the Joint Board of Normal School Trustees held at San José in June, 1897, at Los Angeles in April, 1898, and at Sacramento in September, 1898

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges

Also: Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Assembly Bill No. 905—An Act appropriating money for the purpose of sinking an oil well or wells on the grounds of the Agnews State Hospital.

Also: Assembly Bill No. 933—An Act making an appropriation of \$15,000 for the opening and constructing of a bitumen street, granite curbs, and cement sidewalks through Capitol Park on Thirteenth street from L to N streets

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also: Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also: Assembly Bill No. 812—An Act appropriating \$5,000 for the purpose of sending an expert to Eastern cities of the United States to collect and gather information concerning the transportation and sale of deciduous fruits from the State of California.

Also: Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Also: Assembly Bill No. 931—An Act making an appropriation to pay the claim of R. B. Young for materials, labor, and insurance premium paid in the construction and erection of the Whittier State School.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Also: Assembly Bill No. 394—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Have had the same under consideration, and respectfully report the same back, and recommend that their authors be permitted to withdraw the same.

VALENTINE, Chairman.

Senate Bills Nos. 29, 282, 215, and 324, and Substitute for Senate Bill No. 227, ordered on Senate special file.

Assembly Bills Nos. 939, 886, 977, 950, 946, 338, 566, 905, 933, 370, 812, 924, 931, 846, and 394 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed:

Assembly Bill No. 618—An Act making an appropriation to pay the claim of Office Specialty Manufacturing Company, for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

ARNERICH, Acting Chairman.

Assembly Bill No. 618 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 24—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants—and was presented to the Governor February 28, 1899, at four o'clock P. M.

ARNERICH, Acting Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 955, 874, and 706

Assembly Bill No. 955—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays

Assembly Bill No. 874—An Act making an appropriation to purchase a safe, or provide an inner vault, in the vault of the State Treasury, to be used in counting in the State Treasury.

Assembly Bill No. 706—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891, by defining who and what are practicing pharmacists.

ARNERICH, Acting Chairman.

Assembly Bills Nos. 955, 874, and 706 ordered on third-reading file.

MOTION.

Mr. Knowland moved that Assembly Bill No. 847 be now considered in place of Assembly Bill No. 221.

So ordered.

Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

THIRD-READING FILE.

Assembly Bill No. 359—An Act to amend Section 473 of the Code of Civil Procedure of the State of California, relating to relief from judgments, orders, or proceedings.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, La Bree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Bill No. 504—An Act to amend Sections 21, 22, 26, 28, 42, and 57 of "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for irrigation," etc., approved March 31, 1891.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Dibble, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Johnson, Kelsey, Knights, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—51.

NOES—Messrs. Griffin, Henry, La Bree, Mead, Melick, Stewart, Valentine, Wardell, and Wright—9.

Title read and approved.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Mr. Milice moved to transpose on the file Assembly Bill No. 283 (72 on file) and Assembly Bill No. 440 (112 on file).

So ordered.

Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors and by the municipal authorities of cities and towns to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations when found necessary, without offering the same for sale, excepting from the operations of this Act any property under the jurisdiction or control of any Board of State Harbor Commissioners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Arnerich, Barry, Beecher, Blood, Brooke, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barge, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—61.

NOES—Mr. Boone—1.

Title read and approved.

Assembly Bill No. 109—An Act empowering Boards of Supervisors to construct, reconstruct, and change the location of, and entering into contracts concerning bridge or bridges across navigable streams or waterways in this State.

Mr. Dunlap moved to transpose on file Assembly Bill No. 109 (73 on file) and Assembly Bill No. 102 (135 on file).

So ordered.

Assembly Bill No 102—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages.

Read third time.

The question being on the final passage of the bill.

Pending roll call, Mr. Dunlap moved a call of the House.

The ayes and noes were demanded by Messrs. Johnson, Conrey, and Knights.

Pending roll call, Mr. Caminetti moved that further proceedings under call of the House be suspended.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Brooke, Brown, Burnett, Cargill, Clark, Cobb, Cowan, Crowley, Dunlap, Fairweather, Feltz, Greenwell, Griffin, Kelsey, Knowland, Lardner, Lundquist, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Sanford, Stewart, Wardell, White, and Works—31.

NOES—Messrs. Bliss, Boone, Caminetti, Clough, Conrey, Crowder, Dale, Glenn, Johnson, Kenneally, Knights, Le Baron, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Pierce, Radcliff, Raw, Robinson, E. D. Sullivan, Valentine, Wade, Wright, and Mr. Speaker—26

NOTICES OF MOTION TO RECONSIDER.

Mr. Dunlap gave notice that on to-morrow he would move reconsideration of the vote whereby Assembly Bill No. 102 was this day refused final passage.

Mr. Caminetti gave notice that on to-morrow he would move recon-

sideration of the vote whereby Assembly Bill No. 102 was this day refused final passage.

Mr. Huber moved that the Assembly do now consider Assembly Bill No. 682.

So ordered.

Assembly Bill No. 682—An Act to amend Section 2655 of the Political Code, relating to highway taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barry, Beecher, Bliss, Boone, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—58.

NOES—Mr Clough—1.

Title read and approved

RECONSIDERATION.

In compliance with his notice given on yesterday, Mr. Burnett moved reconsideration of the vote whereby Assembly Bill No. 267 was on yesterday refused final passage, and further moved to continue the motion until to-morrow.

So ordered.

In compliance with his notice given on yesterday, Mr. Wardell moved reconsideration of the vote whereby Assembly Bill No. 260 was finally passed, and further moved to continue the motion, to come up under unfinished business on Thursday.

So ordered.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. Kelsey, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, March 1, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 1, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Dunlap in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—65

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

LEAVE OF ABSENCE.

Mr. McDonald of Alameda was granted leave of absence for the day, on motion of Mr. Bliss.

Mr. Muentner was granted leave of absence for the day, on motion of Mr. Burnett.

Mr. Rickard was granted leave of absence for the day, on motion of Mr. Dibble.

Speaker Anderson was granted leave of absence for the day, on motion of Mr. Dibble.

Mr. Mack was granted leave of absence for the day, on motion of Mr. Blood.

Mr. Greenwell was granted leave of absence, on motion of Mr. Mead.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journals of Saturday, February 25, 1899, and Monday, February 27, 1899, were read and approved.

PETITION.

Presented by Mr. Johnson: Urgently requesting the Assembly to pass Senate Bill No. 676 and Assembly Bill No. 920—signed by Messrs. Clarken and Moynayhan, and seventy others.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 9—An Act to amend an Act in relation to foreign corporations, approved April 1, 1872.

Also: Adopted Assembly Joint Resolution No. 14—Relative to an inquiry into the alleged servitude in Siberia of Frank Bassford and companions.

Also: Refused passage to Assembly Bill No. 90—An Act to amend Section 357 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the marking and branding of domestic animals, and the alteration or defacement of marks and brands on domestic animals.

Also: Passed Senate Bill No. 440—An Act to repeal the whole of Title XV of Part IV of Division III of the Civil Code of the State of California, embracing Sections 3086 to 3262 of said Code, both inclusive, relating to negotiable instruments, and enacting in place thereof a new title, to be known as Title XV of Part IV of Division III of the Civil Code of the State of California, with new provisions in relation to negotiable instruments.

Also: Senate Bill No. 80—An Act to add a new section to the Civil Code of the State of California, to be numbered Section 3443

Also: Senate Bill No. 64—An Act to amend Sections 2 and 38 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, concerning changes in the grade of streets.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 9—An Act to amend an Act in relation to foreign corporations, approved April 1, 1872.

Read first time, and referred to Committee on Judiciary.

Assembly Joint Resolution No. 14 ordered to enrollment.

Senate Bill No. 440—An Act to repeal the whole of Title XV of Part IV of Division III of the Civil Code of the State of California, embracing Sections 3086 to 3262 of said Code, both inclusive, relating to negotiable instruments, and enacting in place thereof a new title, to be known as Title XV of Part IV of Division III of the Civil Code of the State of California, with new provisions in relation to negotiable instruments.

Read first time, and ordered on Senate special file, being identical with Assembly Bill No. 947.

Senate Bill No. 80—An Act to add a new section to the Civil Code of the State of California, to be numbered 3443.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 68—An Act to amend Section 2 and Section 38 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, concerning changes in the grade of streets.

Read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in all the Assembly amendments to Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—save and except amendments numbered 9, 10, and 11, and requests that your honorable body recede from said amendments, and that in case of non-receding the Senate has appointed Senators Dickinson, Straton, and Braunhart as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate

By F. L. THOMAS, Assistant Secretary

Mr. Dibble moved that the Assembly refuse to recede, and that a similar committee of conference be appointed by the Assembly.

So ordered.

Mr. Dibble moved to reconsider the vote whereby a committee of conference was appointed *in re* Assembly amendments to Senate Bill No. 56.

So ordered.

Mr. Dibble moved that the Assembly refuse to recede, and that a committee of free conference *in re* Assembly amendments to Senate Bill No. 56 be appointed, and that the Senate be notified by message of this action.

So ordered.

REPORT OF STANDING COMMITTEE.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, having visited the

State Normal School at Chico, for the purpose of investigating the needs of that institution, submits its account of expenses as follows:

G. W. Pierce	\$19 00
R. De Lancey	19 00
A. A. McKeen	19 00
A. S. Milice	19 00
J. R. Knowland	19 00
W. P. Boone	19 00
W. D. Knights	19 00
H. H. Le Baron	19 00
J. D. Kelsey	19 00
A. S. Crowder	19 00
S. B. Wilson, clerk	19 00
Total	\$209 00

And we ask the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A. S. Crowder, chairman, for the sum of \$209, as per above statement, said warrant to be drawn upon the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

CROWDER, Chairman.

Report and resolution adopted.

RESOLUTIONS.

Resolved, That the sum of \$46 is hereby ordered to be paid to the Chief Clerk of the Assembly for the purpose of paying the bill of D. Johnston & Co. as per bill hereto attached, for necessary stationery furnished the Chief Clerk for the use of the Assembly, and the Controller is hereby directed to draw his warrant for said sum in favor of the Chief Clerk; and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly

January 3—To stationery\$46 00

Read, and referred to Committee on Ways and Means.

By Mr. Wade:

Resolved, That the following named persons be elected by the Assembly to fill the respective positions herein named for the remainder of the thirty-third session of the Legislature of the State of California: John Kofod, Porter to Sergeant-at-Arms, at \$3 per day from February 24, 1899; R. J. Kady, Rear Porter, at \$3 per day from February 16, 1899; and that they be paid out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Attachés and Employés.

By Mr. Pierce:

Resolved, That the following named persons be elected by the Assembly to fill the positions of Pages for the remainder of the thirty-third session of the Legislature of the State of California: Ralph Schluer, as Page, at \$2 50 per day, from February 1, 1899; Emmet Rhodes, as Page, at \$2 50 per day, from February 1, 1899; and that they be paid out of the Contingent Fund of the Assembly

Read, and referred to Committee on Attachés and Employés.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899

MR SPEAKER. Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Whittier State School, located at Whittier, Los Angeles County, having visited the same, report that the following members are entitled to mileage for same, to wit. 998 miles

J. A. Bliss	\$99 80
J. H. Beecher	99 80
J. Fairweather	99 80
F. B. Glenn	99 80
G. R. Stewart (in lieu of Lorenzo Henry)	99 80
L. A. Devoto (in lieu of Grove L. Johnson)	99 80
Eugene Sullivan	99 80
J. W. Atherton, chairman	99 80
C. W. Atherton, clerk	99 80
Total	\$898 20

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. W. Atherton, chairman of said committee, for the sum of \$898 20, as per above statement, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the Treasurer is directed to pay the same.

ATHERTON, Chairman.

Report and resolution adopted.

The Speaker pro tem. announced the appointment of the following committee of conference *in re* Senate Bill No. 54: Messrs. Miller of San Francisco, Knowland, and Caminetti.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1899

MR. SPEAKER: Your Committee on State Hospitals and Asylums, having been heretofore by resolution of the Assembly authorized and directed to visit the Stockton Insane Asylum, beg to report that we have visited said asylum, and that the following members of the Assembly are entitled to the sums set opposite their respective names, to wit:

Crowly	\$9 60
Meserve	9 60
Cargill	9 60
La Barea	9 60
Marvin	9 60
Cowan	9 60
Wardell	9 60
Mead	9 60
Dunlap	9 60
Wade	9 60

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of Owen Wade, chairman of said committee, for the sum of \$96 to pay said mileage, and the State Treasurer is hereby directed to pay the same out of the fund for the payment of the contingent expenses of the Assembly.

WADE, Chairman.

Read. and referred to Committee on Mileage.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker announced the appointment of the following committee of free conference *in re* Senate Bill No. 56: Messrs. Caminetti, Cobb, and McDonald of Tuolumne.

SPECIAL ORDERS.

ASSEMBLY JOINT RESOLUTION NO. 23.

WHEREAS, The present method of electing Senators of the United States has been and is productive of results inimical to the general welfare, and threatening the usefulness of a body representing the sovereignty of the several States of the Union; and

WHEREAS, The various States have repeatedly applied to Congress for the submission to the people thereof, in the manner prescribed by the Constitution of the United States, of an amendment to such Constitution, providing that Senators of the United States shall be elected by popular vote; and

WHEREAS, The House of Representatives of the United States has at different times answered the popular demand for the passage of the necessary legislation; and

WHEREAS, The Senate of the United States has as often failed to concur therein; and

WHEREAS, The people of the State of California have, at an election by direct vote on the question, declared almost unanimously in favor of the election of such Senators by the people; therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee of three members of the Senate and three members of the Assembly be and is hereby appointed to prepare a memorial addressed to the Legislatures of the several States requesting application by each thereof, in the manner prescribed by Article V of the Constitution of the United States, petitioning Congress to call a convention for proposing amendments to the National Constitution relative to the election of United States Senators; and be it further

Resolved, That such committee be instructed to provide in its report a method for the transmission of such memorial to the Legislatures of the several States; and be it further

Resolved, That such committee shall submit such memorial to the Senate and Assembly of the State of California within five days after its appointment.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Atherton, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Wright—54.

NOES—Messrs. Arnerich, Belshaw, Bliss, Blood, Clough, Dibble, Johnson, Kelsey, and Miller of San Francisco—9.

ASSEMBLY JOINT RESOLUTION No. 24.

WHEREAS, The present method of electing Senators of the United States has been and is productive of results inimical to the general welfare, and threatening the usefulness of a body representing the sovereignty of the several States of the Union; and

WHEREAS, The various States have repeatedly applied to Congress for submission to the people of the several States, in the manner prescribed by the Constitution of the United States for an amendment to such Constitution, providing that Senators of the United States shall be elected by popular vote, and

WHEREAS, The House of Representatives has at different times answered the popular demand for the passage of the necessary legislation; and

WHEREAS, The Senate of the United States has as often failed to concur therein; and

WHEREAS, The people of the State of California have at an election by direct vote on the question declared almost unanimously in favor of the election of such Senators by the people, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee of three members of the Senate and three members of the Assembly be and is hereby appointed to prepare an application to the Congress of the United States under the provisions of Article V of the Constitution of the United States, petitioning Congress to call a convention for proposing amendments to the National Constitution relative to the election of United States Senators; and be it further

Resolved, That such committee shall submit such application to the Senate and Assembly of the State of California within five days after its appointment.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Atherton, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Wright—64.

NOES—Messrs. Arnerich, Belshaw, Bliss, Blood, Clough, Dibble, Johnson, Kelsey, and Miller of San Francisco—9.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rules, under Standing Rule LXVI:

First—That the order heretofore made for the consideration of the Ways and Means appropriation file on Wednesday, Thursday, and Friday evenings be changed and modified so as to provide that said file shall be considered on Thursday and Friday evenings; and that said order shall in all other respects remain in full force.

Second—That the order of business for Wednesday evening, March 1st, the session to commence at eight o'clock, shall be the consideration of business on the third-reading file; that the business on that file shall be resumed at the place at which the Assembly left off at the session of Tuesday evening, February 28th; that during the consideration of said file no other business shall be in order, except by unanimous consent.

DIBBLE, Chairman.

Report adopted.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 877, 750, 198, 570, and 179.

Assembly Bill No. 877 (Substitute for Assembly Bill No. 620)—An Act to provide for the construction of a free wagon road from Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Assembly Bill No. 750—An Act to create the Board of State Capitol Commissioners; define its powers and duties; provide for certain officers and employes; define the duties and powers of such officers and employes, and fix their compensation.

Assembly Bill No. 198—An Act entitled "An Act to amend Section 1855 of the Political Code of this State."

Assembly Bill No. 570—An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Assembly Bill No. 179—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings.

ARNERICH, Acting Chairman.

Assembly Bills Nos. 877, 750, 198, 570, and 179 ordered on third-reading file.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. — (Substitute for Assembly Bill No. 846)—An Act to pay the claim of J. E. Atkinson, and making an appropriation therefor.

Also: Assembly Bill No. — (Substitute for Assembly Bill No. 394)—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$100,000.

Also: Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes, for the use of the Stockton State Hospital at Stockton, under control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase live stock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Also: Assembly Bill No. 625—An Act making an appropriation of \$5,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk and suitable fencing along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VALENTINE, Chairman.

Substitute for Assembly Bill No. 846, Substitute for Assembly Bill No. 394, and Assembly Bills Nos. 624 and 625 ordered on second-reading file.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suits to abate public nuisances.

Mr. Brown moved that the Assembly do now concur in the following Senate amendments:

Amend by striking out all of Section 1, and inserting the following: "The District Attorney of any county of this State in which a public nuisance may now or hereafter shall exist may, and when directed by the Board of Supervisors of the county shall, bring a civil action in the name of the 'People of the State' to abate said nuisance."

Also: Amend by striking out all of Section 2, and renumbering Sections 3 and 4, to read "Section 2" and "Section 3," respectively.

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Conrey, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Wright—54
NOES—None.

Assembly Bill No. 177 ordered to engrossment and enrollment.

At eleven o'clock and twenty-five minutes A. M., the Speaker pro tem. called Mr. Dibble to the chair.

Senate Concurrent Resolution No. 9—Relative to the suspension of Joint Rule XXXVI.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the Assembly refused to adopt the resolution by the following vote:

AYES—Messrs. Arnerich, Barry, Cobb, Devoto, Dibble, Feliz, Hoey, Johnson, Kenneally, McKeen, O'Brien, Eugene Sullivan, E. D. Sullivan, and Wardell—14
NOES—Messrs. Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clough, Conrey, Cowan, Crowder, Dale, De Lancia, Dunlap, Fairweather, Glenn, Griffin, Jilson, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, Melick, Meserve, Miller of Los Angeles, Pierce, Raw, Robinson, Sanford, Valentine, Wade, and Works—36

Mr. Dunlap moved to reconsider the vote whereby Assembly Bill No. 102 was on yesterday refused final passage—notice of reconsideration having been given by Messrs. Dunlap and Caminetti.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Cowan, Dale, Dunlap, Fairweather, Feliz, Griffin, Kelley, Kelsey, Knowland, Lardner, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Sanford, Wardell, White, and Works—28.
NOES—Messrs. Bliss, Blood, Boone, Cargill, Chynoweth, Clough, Conrey, Crowder, De Lancia, Devoto, Dibble, Glenn, Hoey, Jilson, Johnson, Kenneally, Knights, Le Baron, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Pierce, Robinson, E. D. Sullivan, Valentine, Wade, and Wright—30.

At eleven o'clock and thirty-five minutes A. M., the Speaker pro tem. resumed the chair.

Mr. Dibble called up for consideration the motion of Mr. Wardell to reconsider the vote whereby Assembly Bill No. 260 was finally passed.

Mr. Dibble moved to lay the motion to reconsider on the table.

Motion carried, and it was so ordered.

SPECIAL FILE.

Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury a felony.

Mr. Meserve moved that Assembly Bill No. 870 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out all after the word "vault," in line 23 of the amended bill.
Also: Amend title by striking out all after the word "treasury," in the second line

Motion carried, and it was so ordered.

Mr. Meserve was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury a felony—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MESERVE, Committee

Report rejected.

Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury a felony.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cowan, Crowly, Dale, Dunlap, Feliz, Griffin, Hanley, Hoey, Jilson, Kenneally, Knights, Knowland, Lardner, Marvin, McKeen, Mead, Merritt, Meserve, O'Brien, Radcliff, Raub, Raw, Sanford, Stewart, Valentine, Wade, Wardell, White, Works, and Wright—42

NOES—Messrs. Belshaw, Blood, Burnett, Clark, De Lancie, Johnson, Kelsey, McDonald of Tuolumne, Melick, Miller of Los Angeles, and Robinson—11.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Meserve gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 870 was this day finally passed.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 1, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. F. E. Dunlap, Speaker pro tem. of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braumbart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—75.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, February 28, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker pro tem. of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, February 28, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senator Davis, Flint, and Rowell—3.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	3 votes.
Stephen M. White received	11 votes.
James D. Phelan received	1 vote.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Robinson, and Valentine—13.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—17

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Tuolumne, Merrill, Merritt, Milice, Raub, Raw, and Works—19

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	72
W. H. L. Barnes received	13 votes.
M. M. Estee received	1 vote.
D. M. Burns received	17 votes
U. S. Grant, Jr. received	19 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	16 votes.
James D. Phelan received	2 votes.
John Rosenfeld received	1 vote.

The Speaker pro tem. of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	109
Necessary to a choice	55
W. H. L. Barnes received	20 votes.
M. M. Estee received	1 vote.
D. M. Burns received	25 votes.
U. S. Grant, Jr. received	26 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	27 votes.
James D. Phelan received	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and ordered another ballot.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senator Davis, Flint, and Rowell—3.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr. received	7 votes.
Irving M. Scott received	3 votes.
Stephen M. White received	11 votes.
James D. Phelan received	1 vote.

The Speaker pro tem. of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name

being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W H L Barnes—Messrs. Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Robinson, and Valentine—13.
For M. M. Estee—Mr. Wade—1.

For D M Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan and Wright—17.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Tuolumne, Merrill, Merritt, Milce, Raub, Raw, and Works—19.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	72
W. H. L. Barnes received.....	13 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	17 votes.
U. S. Grant, Jr. received.....	19 votes.
Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	16 votes.
James D. Phelan received.....	2 votes.
John Rosenfeld received.....	1 vote.

The Speaker pro tem. of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	109
Necessary to a choice.....	65
W. H. L. Barnes received.....	20 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	25 votes.
U. S. Grant, Jr. received.....	26 votes.
Irving M. Scott received.....	5 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	27 votes.
James D. Phelan received.....	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., Assemblyman Belshaw moved to adjourn until Thursday, March 2, 1899, at twelve o'clock M. Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, March 2, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and thirty-seven minutes P. M., on motion of Mr. Belshaw, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
 Speaker pro tem. Dunlap in the chair:

SENATE SPECIAL FILE.

Senate Bill No. 72—An Act to promote the safety of employé's and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Passed on file.

Senate Bill No. 246—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—None.

NOES—Messrs. Atherton, Belshaw, Boone, Boynton, Brown, Burnett, Caminetti, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Hoey, Huber, Jilson, Johnson, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, Melick, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—48.

LEAVE OF ABSENCE.

Messrs. Greenwell and Merritt were granted leave of absence, on motion of Mr. Stewart.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 446 (case of urgency)—An Act to provide a system of drainage for agricultural swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DUNLAP, Chairman.

Mr. Belshaw moved, that Assembly Bill No. 334 be placed on the special file.

So ordered.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 151—An Act supplemental to an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, authorizing such associations to erect, purchase, or lease buildings and furnaces and other works for cremation of human bodies; also, to erect or lease buildings in which shall be entombed only the ashes of cremated dead; to make provision for the care of the burial places and ashes of the dead; also, to provide for the cremation of the unclaimed dead, and bodies liable, if interred, to spread disease—and was presented to the Governor March 1, 1899, at two o'clock and twenty five minutes P. M.

ARNERICH, Acting Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 461.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 461 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 461—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor—and do now report the same with amendments, and recommend that the same do pass as amended.

DUNLAP, Chairman.

Report adopted.

Senate Bill No. 461—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Mr. Marvin moved to amend as follows:

Amend by inserting the following after the word "them," line 4, of Section 1, "or so much thereof as may be necessary."

Amendment adopted.

Also: Amend by striking out of Section 3, line 2, the words "its passage," and inserting the following: "the first day of January, nineteen hundred."

Amendment adopted.

Senate Bill No. 461 ordered to print and third reading.

Senate Bill No. 444 (Substituted for Assembly Bill No. 559)—An Act in relation to municipal elections, where the same are held separate from general State elections and elections held under the authority of Section 8 of Article XI of the Constitution, to elect boards of freeholders, or to vote on proposed charters or upon amendments to existing charters, and to repeal an Act entitled "An Act in relation to elections held under the authority of Section 8 of Article XI of the Constitution," approved March 31, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milce, O'Brien, Pierce, Radcliff, Raub, Raw, Stewart, Valentine, Wade, Wardell, White, Works, and Wright—48.

NOES—Mr. Clough—1.

Title read and approved.

Senate Bill No. 362 (Substituted for Assembly Bill No. 412)—An Act to establish a camp of instruction for the National Guard of the State of California, and to authorize the acquisition by donation of a site for the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lardner, McDonald of Tuolumne, McKeen,

Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Wright—56.
NAYS—Mr. Boone—1.

Title read and approved.

Senate Bill No. 165 (Substituted for Assembly Bill No. 26)—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 165.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 165 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 165 (Substituted for Assembly Bill No. 26)—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor—and do now report, and recommend that the same do pass

DUNLAP, Chairman.

Report adopted.

Senate Bill No. 165 ordered to third reading.

Senate Bill No. 229—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Wright—55.

NAYS—None.

Title read and approved.

Senate Bill No. 46 (Committee Substitute for Senate Bills Nos. 58 and 194)—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Passed on file.

Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to estab-

lish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Section 1675 and 1705, relating to kindergartens.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 354—An Act to amend Section 1 of an Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied, approved February 25, 1897, and to add two new sections thereto.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collector, and other employés, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board, or employés, a misdemeanor, and providing a penalty of a fine not to exceed three hundred dollars, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine not less than one hundred dollars and not more than five hundred dollars, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than twenty dollars, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger, or other employé of the board, a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than one hundred dollars, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding five hundred dollars, or imprisonment not exceeding one hundred days,

or both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Read second time, ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 363—An Act to establish a uniform system of county and township governments—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith presented do pass

HUBER, Chairman

Assembly Bill No. 363 ordered on second-reading file.

MOTION.

Mr. Dibble moved that the constitutional provision be suspended, and that he be allowed to introduce a bill.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetta, Chynoweth, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Marvin, Mead, Melick, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—56.

NOES—None.

INTRODUCTION OF BILL.

By Committee on County and Township Governments: Assembly Bill No. 1000—An Act to establish a uniform system of county and township governments.

Read first time, ordered to print and on second-reading file.

RESOLUTION—(OUT OF ORDER).

By Mr. Huber:

Resolved, That the State Printer be instructed to print 500 extra copies of Assembly Bill No. 1000 (Committee Substitute for Assembly Bill No. 363), and that the State Printer is ordered to print this bill out of order

Resolution adopted.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking or any interference with any seal affixed on any safe or inner vault in the vault of the State Treasury a felony.

Passed on file.

Assembly Bill No. 874—An Act making an appropriation to purchase a safe, or provide an inner vault in the vault of the State Treasury, to be used in counting money in the State Treasury.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Bliss, Blood, Brown, Caminetti, Chynoweth, Clough, Cobb, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lardner, Marvin, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—44.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your committee of conference concerning Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—report that we have met a like committee of the Senate, consisting of Senators Dickinson, Braumhart, and Cutter, and we report that the conference committee has failed to agree, and recommend the appointment of a committee of free conference to meet a like committee from the Senate

H. W. MILLER,
CAMINETTI,
KNOWLAND,

Committee of Conference of the Assembly.

Report adopted.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker announced the appointment of the following committee of free conference *in re* Senate Bill No. 54: Messrs. Caminetti, Miller of San Francisco, and Knowland.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 925—An Act providing what imprint shall be placed on bills, placards, posters, pamphlets, and other printed matter having reference to an election of any candidate, and providing a punishment for a violation thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Chynoweth, Cowan, Crowley, Devoto, Dibble, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Miller of San Francisco, O'Brien, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, and Wright—49.

NOES—Messrs. Belshaw, Conrey, Cosper, Crowder, Dale, Dunlap, Miller of Los Angeles, and Wade—8.

Title read and approved.

Mr. Valentine moved that when the Assembly take a recess this afternoon the Republican members of the Legislature have the use of the Assembly Chamber.

So ordered.

Mr. Feliz was granted leave of absence for the day.

Assembly Constitutional Amendment No. 13—Relative to amending Section 12 of Article XIII of the Constitution, relating to poll-tax.

Passed on file.

Assembly Constitutional Amendment No. 19—Proposing to the people of the State of California an amendment to the Constitution of the State, viz.: to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII of the Constitution.

Passed on file.

Assembly Constitutional Amendment No. 24—Relative to lands, and improvements thereon, be exempt from taxation for State purposes.

Passed on file.

Assembly Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to Section 3 of Article IV of the Constitution of the State, relating to the election and term of office of members of the Assembly.

Passed on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Passed on file

Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners

Passed on file.

Assembly Bill No. 954—An Act to amend Section 144 of the Code of Civil Procedure of the State of California, relating to holidays.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Chynoweth, Cobb, Cosper, Cowan, Crowley, Dale, Devoto, Dunlap, Fairweather, Feliz, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Lardner, Marvin, McDonald of Tuolumne, McKeen, Melick, Meserve, Miller of San Francisco, O'Brien, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—47.

NOES—Messrs. Conrey, Glenn, Le Baron, and Miller of Los Angeles—4.

Title read and approved.

Mr. Valentine moved that Assembly Bills Nos. 394 and 846 be resubmitted to Committee on Ways and Means.

So ordered.

Assembly Bill No. 955—An Act to amend Section 10 of the Code of Civil Procedure of the State of California, relating to holidays.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clark, Cobb, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Feliz, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Miller of San Francisco, O'Brien, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and White—50.

NOES—Messrs Bliss and Crowder—2.

Title read and approved.

RECESS.

At four o'clock and twelve minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker pro tem. Dunlap in the chair.

THIRD-READING FILE.

Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Read third time.

Mr. Melick moved that a select committee of one be appointed, with instructions to amend Assembly Bill No. 603 as follows:

Amend by striking out “.” in line 18, Section 1, page 2, and inserting in lieu thereof “, provided, that all fire department vehicles and apparatus, all vehicles carrying the United States mail, all hospital ambulances, all hearses or other undertakers' vehicles, all vehicles equipped with rubber tires, all spring wagons used principally for passenger purposes, and all vehicles running on rails or tramways, are hereby expressly exempted from the provisions of this Act.”

Motion carried, and it was so ordered.

Mr. Melick was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MELICK, Select Committee.

Assembly Bill No. 603 ordered to reëngrossment and final passage.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 114—An Act to amend Section 193 of the Code of Civil Procedure of the State of California, relating to Justices' Courts and Justices.

Also: Assembly Bill No. 250—An Act to amend Section 2608 of the Political Code of the State of California, relating to the general revenue of the State and the property liable to taxation for the purpose of revenue, and to add new sections, to be known as Sections 3609 and 3610, also relating to the general revenue of the State and the property liable to taxation for the purpose of revenue.

Also: Assembly Bill No. 324—An Act to change and permanently locate the boundary line between the counties of Shasta and Lassen.

Also: Assembly Bill No. 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor.

Also: Assembly Bill No. 420—An Act to add a new section to the Political Code, to be known as Section 1890, relating to fire-escapes on school buildings.

Also: Assembly Bill No. 458—An Act to amend the Penal Code by adding a section thereto, to be numbered 623½, relating to the detention of books and other property belonging to any public or incorporated library, reading-room, museum, or other educational institution.

And were presented to the Governor March 1, 1899, at four o'clock and fifteen minutes P. M.

ARNERICH, Acting Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 602 (Substitute for Assembly Bill No. 168)—An Act to amend Section 2643 of the Political Code, relating to the road tax and its apportionment among road districts.

Mr. Wade moved that a select committee of one be appointed for the purpose of amending Assembly Bill No. 602 as follows:

Amend by striking out the word "fifty" in line 24, Section 1, page 2, printed bill, and inserting in lieu thereof the word "seventy-five."

Also: Amend by striking out the word "fifty" in line 25, Section 1, page 2, printed bill, and inserting in lieu thereof the word "twenty-five."

Motion lost.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Valentine, Wardell, White, Works, and Wright—50

NOES—Messrs. Boynton, Clough, Cosper, Huber, Marvin, Meserve, Miller of Los Angeles, Radcliff, and Wade—9

Title read and approved.

Mr. Johnson moved that Assembly Bill No. 168 (75 on file) be transposed with Assembly Bill No. 611 (126 on file).

So ordered.

Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872, and to repeal an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 9, 1887, and to repeal an Act entitled "An Act to amend Sections 1, 5, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Clough, Cobb, Cosper, Cowan, Crowder, Dale, Dunlap, Fairweather, Glenn, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Valentine, Wade, Wardell, Works, and Wright—51.

NOES—None.

Title read and approved.

Assembly Bill No. 582 (Substitute for Assembly Bill No. 170)—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dunlap, Fairweather, Glenn, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milce, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wardell, White, Works, and Wright—50.

NOES—Messrs Clough, Miller of Los Angeles, and Wade—3

Title read and approved.

Assembly Bill No. 583 (Substitute for Assembly Bill No. 169)—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Stewart, Eugene Sullivan, Valentine, Wardell, White, and Works—51.

NOES—Messrs. Miller of Los Angeles, Radcliff, and Wade—3

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Clough gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 583 was this day finally passed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

Resolved, That Clark Alberti be and he is hereby appointed an Assistant Clerk of the Assembly, said appointment to date from and including February 9, 1899, at which time his services began, at the same per diem as is paid other Assistant Clerks of the Assembly. The Controller of State is hereby directed to draw his warrants for said per diem, payable out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same.

Also:

Resolved, That the following persons, viz: William C. Guirey and Ed J. Smith, be and they are hereby appointed Assistant Clerks at the desk, to perform necessary duties under the direction of the Chief Clerk, and to receive the same per diem as is paid to the other Assistant Clerks at the desk, said per diem to be paid out of the appropriation for the contingent expenses of the Assembly; and be it further

Resolved, That the appointment of said William C. Guirey and said Ed J. Smith date from and including Saturday, February 18, 1899.

Have investigated the same and we do find from the statements of the Chief Clerk of the Assembly that the services of the above named persons are necessary for the prompt transaction of business, and we do therefore respectfully report the same back, and recommend that the services of the above named clerks be retained and said resolutions be adopted.

LUNDQUIST, Chairman.

Mr. Belshaw moved that the report of the Committee on Attachés and Employés be printed in the Journal, and be considered to-morrow.

So ordered.

THIRD READING FILE—(RESUMED).

Mr. McDonald of Tuolumne moved that Assembly Joint Resolution No. 15 (78 on file) be transposed with Assembly Bill No. 325 (175 on file).

So ordered.

Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining interests.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder,

Dale, Dunlap, Fairweather, Glenn, Huber, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Mihce, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, and Works—51.

NOES—None.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 18.

Relative to immigration from the Philippine Islands.

WHEREAS, In case of the annexation of the Philippine Islands to, or assumption of sovereignty over the same by, the United States, a large number of Malays and Chinese may, unless the necessary precautions are taken, be permitted to enter the United States;

WHEREAS, When the Hawaiian Islands were annexed to the United States, conditions were imposed to prevent a like class of people from coming to the United States;

WHEREAS, The conditions that prompted the people to call for the passage of the "Exclusion Act" exist now, and the people still demand that said Act be strictly enforced; therefore, be it

Resolved by the Assembly, the Senate concurring, That the President of the United States, and the Senate of the United States, be memorialized that, in whatever action is proposed to be taken concerning the Philippine Islands, provision be made to exclude from this country all Malays, Chinese, and other undesirable elements; be it further

Resolved, That our Senators be instructed, and our Representatives in Congress requested, to use all honorable means to effect the purpose of these resolutions, and that a copy thereof be forwarded to the President of the United States, the Senate of the United States, and each member of our delegation in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Dunlap, Fairweather, Glenn, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Valentine, Wade, Wardell, White, Works, and Wright—49.

NOES—None.

Mr. Cosper moved that Assembly Joint Resolution No. 16 (80 on file) be transposed with Assembly Bill No. 897 (243 on file).

So ordered.

Assembly Bill No. 897—An Act to amend Sections 9 and 10 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all public improvements, or for any purpose whatever; and the repeal of the Act approved March 9, 1895, entitled 'An Act to authorize municipal corporations of the first class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks'; also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,' approved March 19, 1889," and an Act amendatory thereof, approved March 19, 1891.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Brooke, Brown, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Robinson, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—48.

NOES—Mr. Clough—1.

Title read and approved.

Mr. Caminetti moved that Assembly Bill No. 385 (81 on file) be transposed with Assembly Bill No. 726 (123 on file).

So ordered.

Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake, to Lake Tahoe, a State highway.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Robinson, Sanford, Valentine, Wardell, White, and Works—43.

NOES—Messrs. Boynton, Clough, Marvin, Meserve, and Wade—5.

Title read and approved.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,'" approved March 31, 1897, relating to the classification of counties into agricultural districts.

Read third time.

Mr. Mead moved that consideration of Assembly Bill No. 608 be continued, and made special order for to-morrow at eleven o'clock A. M.

So ordered.

Assembly Bill No. 609 (Substitute for Assembly Bill No. 457)—An Act to amend Section 623 of the Penal Code, and to add a new section to the Penal Code, to be known as Section 623½, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, exhibit, or other public place.

Mr. Brown moved that Assembly Bill No. 609 (83 on file) and Assembly Bill No. 589 (194 on file) be transposed on the file.

So ordered.

Assembly Bill No. 589—An Act to establish and confirm the north boundary line of San Mateo County, between the counties of San Mateo and San Francisco, as the same was surveyed by Charles S. Tilton, William B. Gilbert, and D. Bromfield, between August 28, 1898, and December 28, 1898, to be the true boundary line between the counties of San Mateo and San Francisco, California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Sanford, Stewart, Valentine, Wade, Wardell, White, Works, and Wright—48.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 80—An Act to add a new section to the Civil Code of the State of California, to be numbered 3443.

Also: Assembly Bill No. 867—An Act adding a new section to the Penal Code, to be known as Section 402, in relation to the running at large of hogs.

Report the same back, with recommendation that they do pass

JOHNSON, Chairman.

Senate Bill No. 80 ordered on Senate special file.

Assembly Bill No. 867 ordered on second-reading file.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 478—An Act regulating the cancellation of fire insurance policies, and providing penalties for refusing to cancel the same.

Mr. Mead moved that Assembly Bill No. 478 (84 on file) and Assembly Bill No. 652 (93 on file) be transposed on the file.

So ordered.

Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Valentine, Wade, Wardell, White, and Works—51

NOES—None.

Title read and approved.

Assembly Bill No. 637 (Substitute for Assembly Bill No. 120)—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act, approved March 26, 1895, entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State.'"

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Hoey, Huber, Jilson, Johnson, Kenneally, Knights, Knowland, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, and Works—51.

NOES—None.

Title read and approved.

Assembly Bill No. 645 (Substitute for Assembly Bill No. 224)—An Act to amend Section 558 of the Penal Code, relating to malicious injuries to highways.

Read third time.

Mr. Works moved to refer Assembly Bill No. 645 to a select committee of one, with instructions to amend as follows:

Insert after the word "who," in line 4, the words "willfully or maliciously."

Motion lost.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kenneally, Knights, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Wade, and Wardell—45.

NOES—Messrs. Meserve and Works—2.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Crowder gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 645 was this day finally passed.

Assembly Bill No. 593—An Act to amend Section 1395 of the Code of Civil Procedure.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cobb, Conrey, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Wade, Wardell, and Works—45.

NOES—None.

Title read and approved.

Mr. Johnson moved that when the Assembly again consider the third-reading file, it begin on the number following the one which was last considered to-night.

So ordered.

ADJOURNMENT.

At ten o'clock and forty minutes P. M., on motion of Mr. Kenneally, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, March 2, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 2, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Knowland, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, Pierce, Raub, Stewart, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—56.

Quorum present.

LEAVE OF ABSENCE.

Mr. La Barea was granted leave of absence for the day, on motion of Mr. Radcliff.

Mr. Works was granted leave of absence for three days, on motion of Mr. Crowder.

Mr. McDonald of Alameda was granted leave of absence for the day, on motion of Mr. Belshaw.

Mr. Mack was granted leave of absence for the day, on motion of Mr. Blood.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Tuesday, February 28, 1899, was read and approved.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

COMMUNICATION.

SACRAMENTO, CAL., March 2, 1899.

To the Senate and Assembly of the State of California:

In compliance with Section 671 of the Political Code, we have the honor to transmit herewith to your honorable bodies claim No. 3841, forty-ninth fiscal year.

STATE BOARD OF EXAMINERS.
By DANIEL KEVANE, Secretary.

Referred to Committee on Claims.

PETITIONS.

Presented by Mr. Brooke: Asking for the passage of Senate Bill No. 306, known as the "Sunday law," signed by L. M. Landsborough and forty others.

By Mr. Valentine: Twelve petitions, signed by about seventy-five resi-

dents of the Seventy-fourth Assembly District, praying for the repeal of the compulsory vaccination law.

By Mr. Crowder: Signed by forty-six barbers of San Diego, praying for the passage of an Act to regulate the practice of barbering in the State of California.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 932—An Act to provide for the appointment of a State Quarantine Officer by the State Board of Health, and to abolish the office of Quarantine Officer to the Board of Health for the City and County of San Francisco—have had the same under consideration, and respectfully report the same back without recommendation.

CARGILL, Chairman.

Assembly Bill No. 952 ordered on second-reading file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 68—An Act to amend Section 2 and Section 38 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, concerning changes in the grade of streets—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAW, Chairman.

Senate Bill No. 68 ordered on Senate special file.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred engrossed Senate Bill No. 206—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means, with recommendation that it do pass.

CROWDER, Chairman.

Senate Bill No. 206 ordered on Senate special file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 381—An Act regulating fraternal beneficiary corporations.

Also: Assembly Bill No. 970—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891, and to amend the title of said Act.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 825—An Act to provide for the organization and management of livestock insurance companies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

RAUB, Chairman.

Assembly Bills Nos. 381, 970, and 825 ordered on second-reading file.

Mr. Melick moved that the Sergeant-at-Arms be instructed to deliver seven copies of the County Government Act to each member of the Assembly.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 487 (case of urgency)—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653½, relating to the fees charged by employment agencies.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 487—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653½, relating to the fees charged by employment agencies.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 19—Relative to leper hospital on Molokai.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Joint Resolution No. 19 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties, and cities and counties, for the collection of taxes.

Also: Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees

Also: Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

Also: Adopted Assembly Concurrent Resolution No. 16—Relative to consent of the Legislature to the absence of the Governor of the State, Hon. Henry T. Gage, from the State for a period not to exceed four months

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 247, 465, and 326 and Assembly Concurrent Resolution No. 16 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 695 (case of urgency)—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 695—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

MOTIONS.

Mr. Radcliff moved that Assembly Bill No. 962 be re-referred to Committee on Fruit and Vine Interests.

So ordered.

Mr. Cosper moved that he be allowed to withdraw a certain resolution offered by him on February 17, 1899 (page 14 of Journal of that date), and substitute the following resolution.

So ordered.

RESOLUTIONS.

By Mr. Cosper:

Resolved, That in the matter of the investigation of the methods employed in the election of a United States Senator the Controller be and he is hereby authorized and directed to draw his warrant in favor of W. O. Banks, Sergeant-at-Arms, for \$288 90, the same being the expenses incurred in securing the attendance of twenty-three witnesses, mileage, fees, and expenses, and which items have been audited by the special committee and allowed; and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Resolution adopted.

By Mr. Valentine:

Resolved, That owing to the illness of one of the Assistant Minute Clerks, George Varcoe be appointed Assistant Minute Clerk at \$6 per day, payable out of the Contingent Fund of the Assembly, pending the illness of said Assistant Minute Clerk.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Cosper, Crowder, Dale, De Lancie, Dibble, Dunlap, Feliz, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knowland, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Milce, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wardell, Wright, and Mr. Speaker—49.

NOES—Messrs. Melick and Miller of Los Angeles—2.

MOTIONS.

Mr. Clough's notice of motion to reconsider *in re* Assembly Bill No. 583 (Substitute for Assembly Bill No. 169)—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes—being in order, Mr. Melick moved to reconsider the vote whereby Assembly Bill No. 583 was on yesterday finally passed, and further moved to lay the motion to reconsider on the table.

Motion carried, and it was so ordered.

Mr. Belshaw moved to continue the consideration of Assembly Bills Nos. 293, 287, and 288, and make the same special order for Saturday, March 4, 1899.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 744, 701, 714, and 894.

Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of this State.

Assembly Bill No. 701—An Act to provide for the place of holding office by State officers.

Assembly Bill No. 714—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication.

Assembly Bill No. 894—An Act to regulate the use of meters used for the purpose of measuring water by persons or corporations distributing the same for sale.

ARNERICH, Acting Chairman.

Assembly Bills Nos. 744, 701, 714, and 894 ordered to third reading.

SPECIAL ORDERS.

Assembly Bill No. 158—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889.

The question being, "Shall the bill become a law notwithstanding the Governor's objections?"

The roll was called, and the Governor's veto sustained by the following vote:

AYES—None.

NOES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Dale, De Lencie, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Kelley, Kelsey, Knights, Knowland, Lundquist, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, Wright, and Mr. Speaker—55.

Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to establishing a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

Made special order for Saturday, March 4, 1899.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Wade to the chair.

Assembly Bill No. 229—An Act to select and adopt the golden poppy as the State flower of California.

The question being, "Shall Assembly Bill No. 229 become a law notwithstanding the objections of the Governor?"

The roll was called, and the bill passed over the Governor's veto by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowder, De Lencie, Devoto, Dibble, Dunlap, Feliz, Glenn, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Wardell, and Wright—55.

NOES—Messrs. Arnerich, Boone, Cobb, Dale, Griffin, Kelsey, O'Brien, E. D. Sullivan, Wade, White, and Mr. Speaker—11.

Mr. Belshaw moved that the action of the Assembly *in re* Assembly Bill No. 229 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict

with this Act," approved March 31, 1897, relating to the classification of counties into agricultural districts.

Mr. Caminetti moved that Assembly Bill No. 608 be referred to a special committee of three, for the purpose of rearranging the agricultural districts, and to retain its place on file.

So ordered.

At eleven o'clock and twenty minutes A. M., the Speaker resumed the chair.

Mr. Arnerich moved that Assembly Bill No. 506 be re-referred to Committee on State Hospitals and Asylums.

So ordered.

Mr. Wade moved that the bill retain its place on file.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled: Assembly Joint Resolution No. 14 and Assembly Bills Nos. 177 and 257.

Assembly Joint Resolution No. 14—Relative to an inquiry into the alleged servitude in Siberia of Frank Bassford and companions.

Assembly Bill No. 177—An Act authorizing District Attorneys to bring suit to abate public nuisances.

Assembly Bill No. 257—An Act to add a new section to the Political Code, to be known and designated as Section 3466½, relating to the payment of invalid assessments in reclamation districts, and the crediting of the amount paid (to the tract of land upon which the same was assessed) upon subsequent assessments.

And were presented to the Governor March 2, 1899, at ten o'clock and forty-five minutes A. M.

ARNERICH, Acting Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 532—An Act to amend an Act entitled "An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof," approved March 29, 1897—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 995—An Act to create and regulate public warehouses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KNOWLAND, Chairman.

Assembly Bills Nos. 532 and 995 ordered on second-reading file.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following rule relating to debate during consideration of the files for the remainder of the session:

Not more than twenty minutes shall be allowed for debating any bill at the same stage, which time shall be divided between those who favor the bill and those who oppose it. The member in charge of the bill shall have the apportionment of the time allowed to the advocates of the bill, and the Speaker shall recognize a member in opposition who shall have the apportionment of the time allowed to the opponents of the bill; *provided*, that the House by a two-thirds vote may extend the time, but no roll call shall be allowed upon a motion to extend time.

DIBBLE, Chairman.

Report adopted.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 267—An Act to amend Section 261 of the Penal Code of the State of California, relating to the crime of rape, and what constitutes the same.

Mr. Burnett moved to reconsider the vote whereby Assembly Bill No. 267 was refused final passage, notice of motion to reconsider having been given and continued to this day.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Arnerich, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Chynoweth, Clough, Dunlap, Feliz, Glenn, Griffin, Johnson, Kelsey, Knights, Lardner, Lundquist, Melick, Muentner, O'Brien, Wade, White, and Wright—24.

NOES—Messrs. Atherton, Beecher, Belshaw, Boone, Brown, Cobb, Cosper, Cowan, Dale, De Lancie, Dibble, Hanley, Hoey, Jilson, Kelley, Kenneally, Knowland, Le Baron, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Raw, Rickard, Robinson, Sanford, E. D. Sullivan, and Wardell—31.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 2, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Braunhart, Bulla, Burnett, Chapman, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Jones, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—33.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—74.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL, READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, March 1, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, March 1, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senators Davis, Flint, and Rowell—3.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—10.
For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received.....	7 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	7 votes.
Irving M. Scott received.....	3 votes.
Stephen M. White received.....	10 votes.
James D. Phelan received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.
For M. M. Estee—Mr. Wade—1.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Rickard, and Eugene Sullivan—16.
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Huber, Le Baron, Marvin, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, and Raw—18.
For Irving M. Scott—Messrs. Cosper and Dunlap—2.
For Marion De Vries—Mr. Brooke—1.
For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Glenn, Griffin, Hanley, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.
For James D. Phelan—Messrs. Burnett and Hoey—2.
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	71
W. H. L. Barnes received.....	15 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	16 votes.
U. S. Grant, Jr., received.....	18 votes.

Irving M. Scott received.....	2 votes.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	15 votes.
James D. Phelan received.....	2 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	107
Necessary to a choice.....	54
W. H. L. Barnes received.....	22 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	24 votes.
U. S. Grant, Jr., received.....	25 votes.
Irving M. Scott received.....	5 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	25 votes.
James D. Phelan received.....	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Assemblyman Dibble moved to adjourn until Friday, March 3, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Friday, March 3, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-six minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Anderson in the chair.

The Speaker announced the appointment of the select committee *in re* Assembly Bill No. 608, as follows: Messrs. Caminetti, Valentine, and Pierce.

SENATE SPECIAL FILE.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Passed on file.

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Passed on file.

Senate Bill No. 165 (Substituted for Assembly Bill No. 26)—An Act to pay the claim of William M. Sullivan against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Cowan, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Valentine, Wade, White, Wright, and Mr. Speaker—46.

NOES—Mr. Lardner—1.

Title read and approved.

Senate Bill No. 229—An Act to provide for the disposal of money raised by cities or towns for public improvement after the same has been completed and paid for.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Cargill, Chynoweth, Clark, Clough, Conrey, Cowan, Crowder, Dale, De Lancie, Devoto, Dibble, Fairweather, Feliz, Hoey, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, White, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Passed on file.

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Pending second reading of the bill, Mr. Caminetti moved that further consideration be postponed, and that bill retain its place on file.

So ordered.

Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

Read third time.

Mr. Conrey moved that a select committee of one be appointed to amend the bill as follows:

Amend by striking out all of Section 5, pages 5 and 6, printed bill.

Motion carried, and it was so ordered.

Mr. Conrey was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CONREY, Committee.

Report adopted.

Mr. Dunlap moved that a select committee of one be appointed to amend the bill as follows:

Strike out the words "in the primary and grammar schools," lines 45 and 46, Section 3, page 4, subdivision 4, printed bill.

Motion carried, and it was so ordered.

Mr. Dunlap was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens—with instructions to amend, now reports that the instructions of the Assembly have been carried out

DUNLAP, Committee.

Senate Bill No. 53 ordered to print and final passage.

Senate Bill No. 354—An Act to amend Section 1 of "An Act to authorize State agricultural societies under the control of the State to sell property held by them in fee, or held by trustees for their use, or in which they may have any interest; to prescribe a course of procedure therefor; to indemnify purchasers at such sale, and to direct how the proceeds shall be applied," approved February 25, 1897, and to add two new sections thereto.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowder, Dale, De Lantie, Dibble, Feliz, Glenn, Griffin, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lardner, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of San Francisco, O'Brien, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, Wade, Wardell, and Mr. Speaker—49.

NOES—Mr. Clough—1.

Title read and approved.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 813, 738, 599, 878, 852, and 877.

Assembly Bill No. 813—An Act to enable cities of the third class to issue fiscal year bonds for the purpose of providing money for the payment of municipal expenses before the collection of taxes.

Assembly Bill No. 738—An Act authorizing and directing refund to parties, their attorneys, their heirs and assigns, of unconsumed portions of money deposited as security for costs in actions and proceedings in District Courts and Superior Courts of this State, approved March 5, 1870.

Assembly Bill No. 599—An Act defining and regulating the appointment of local fire insurance agents, compelling them to obtain certificates from the Insurance Commissioner, designating their powers and duties, and prescribing penalties against persons violating its provisions, and against any such agent allowing or offering to allow rebates of the premiums specified therein.

Assembly Bill No. 878 (Substitute for Assembly Bill No. 709)—An Act to provide for the survey, location, and construction of a public highway or wagon road from the City of Merced to the Yosemite Valley, and making an appropriation therefor.

Assembly Bill No. 852—An Act to establish a uniform standard of weights and measures, to divide the State into districts; appoint inspectors, define their duties; fix the rate of charges, and also the penalties for violation of this Act.

Assembly Bill No. 677—An Act to regulate the business of commission merchants,

agents, factors, or brokers, dealing in farm produce, poultry, grain, fruit, seeds, honey, or dairy produce.

RICKARD, Chairman.

Assembly Bills Nos. 813, 738, 599, 878, 852, and 677 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 60 and 581.

Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the water of inland lakes and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Assembly Bill No. 581—An Act to provide payment of costs of suit in foreclosing delinquent purchasers of State school lands, and make appropriations therefor.

RICKARD, Chairman.

Assembly Bills Nos. 60 and 581 ordered on file for final passage.

REPORT OF COMMITTEE OF FREE CONFERENCE.

STATE CAPITOL, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your committee of free conference, to whom was referred Senate Bill No. 54, have had the same under consideration, and beg leave to report the same back to your honorable body, and recommend that said bill be returned to the Senate, and do pass as amended, as follows.

Amend title by striking out the word "and" in line 3.

Also: Amend title by inserting after the word "thoroughfare," in lines 3 and 4, the words "and belt-line railroad."

Also: Amend Section 1 by striking out in line 15, page 2, after the word "thoroughfare," the words "simultaneous with the construction and extension thereof," and inserting in lieu thereof the words "as rapidly as practicable during the construction and extension thereof."

Also: Amend Section 4 by striking out in lines 51 and 52, page 4, after the word "thoroughfare," the words "simultaneous with the construction and extension thereof," and inserting in lieu thereof the words "as rapidly as practicable during the construction and extension thereof, but before the completion of such thoroughfare."

Also: Amend Section 5 by inserting in line 4, page 4, after the word "seawall," the words "thoroughfare and belt-line railroad."

Also: Amend Section 12 by inserting after the word "seawall," in line 1, page 8, the words "thoroughfare and belt-line railroad."

Also: Amend Section 13 by inserting in line 2, page 9, after the word "thoroughfare" the words "and belt-line railroad," and striking out the word "and" in line 2, following the word "seawall."

BRAUNHART,
DICKINSON,
STRATTON,
Senate Committee.
H. W. MILLER,
KNOWLAND,
CAMINETTI,
Assembly Committee.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to recommend that Assembly Bill No. 24, reported correctly enrolled and presented to the Governor on February 28, be recalled from the Governor and be ordered to enrollment for the purpose of correction.

RICKARD, Chairman.

Report adopted.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Belshaw, Bliss, Blood, Boone, Boynton, Chynoweth, Clark, Dunlap, Henry, Hoey, Johnson, Kelley, Kelsey, Knights, Knowland, Marvin, McDonald of Tuolumne, Mead, Miller of San Francisco, Radcliff, Robinson, Valentine, Wade, Wright, and Mr. Speaker—25.

NOES—Messrs. Arnerich, Atherton, Beecher, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Fairweather, Feliz, Glenn, Griffin, Jilson, Lardner, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, and White—36.

REPORT OF COMMITTEE OF FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your committee of free conference, concerning Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—report that we have met a like committee of the Senate, consisting of Senators Wolfe, Curtin, and Morehouse—and we report that the free conference committee agreed upon and recommend that the Senate concur in the Assembly amendments.

COBB,
A. M. McDONALD,
CAMINETTI,

Committee of Free Conference of the Assembly.

Mr. Dibble moved that the report of the committee of free conference on Senate Bill No. 56 be recommitted.

So ordered.

Mr. Miller of San Francisco moved that the rules be suspended, and the Assembly do now take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 2, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 96, 444, 997, 998, and 151.

HENRY T. GAGE,
Governor of the State of California

Ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 2, 1899. }

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 132, with my objections thereto. The language of the bill is so obscure, where it purports to permit full satisfaction to be entered after a sale under foreclosure, that it would, apparently, release any judgment debtor from a deficiency judgment after foreclosure.

HENRY T. GAGE,
Governor of the State of California.

Ordered to unfinished business.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 2, 1899. }

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 113, with my objections thereto.

This bill amends Section 1050 of the Code of Civil Procedure by adding thereto the following words: "And in such action any defense may be made by the plaintiff to such claim which he would be entitled to make were an action brought by the defendant against the plaintiff."

If the language of this amendment is to bear the most favorable construction, then

it adds nothing to the strength of the original section, for this has been the settled law upon the subject.

It is, however, capable of a construction which might give to plaintiff in such action a defense which would have the effect to defeat the right of an innocent assignee of a negotiable instrument assigned before maturity.

HENRY T. GAGE,
Governor of the State of California.

Ordered on unfinished business file.

SPECIAL ORDER.

Assembly Bill No. 996—An Act making an appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 996.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 996 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 996—An Act making an appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years—and do now report progress, and recommend that the committee sit again.

ANDERSON, Chairman.

Mr. Valentine moved that Assembly Bill No. 996 be made special order for to-morrow immediately after the consideration of the Senate special file.

So ordered.

NOTICE OF MOTION TO RECONSIDER.

Mr. McKeen gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 414 was this day refused final passage.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 881—An Act to appropriate the sum of \$175 to pay the claim of the Trinity Journal, for money due and owing the said Trinity Journal from the State of California.

Also: Assembly Bill No. 872—An Act to appropriate the sum of \$100 to pay the claim of Phil B. Dankey, for money due and owing the said Phil B. Dankey from the State of California.

Also: Assembly Bill No. 407—An Act to appropriate the sum of \$200 to pay the claim of the Capital, for money due and owing the said Capital from the State of California.

Also: Assembly Bill No. 876—An Act to appropriate the sum of \$300 to pay the claim of E. C. Rust, for money due and owing the said E. C. Rust from the State of California.

Also: Assembly Bill No. 864—An Act to appropriate the sum of \$1,000 to pay the claim of the California Demokrat, for money due and owing the said California Demokrat from the State of California.

Also: Assembly Bill No. 891—An Act to appropriate the sum of \$120 to pay the claim of the Chico Daily Record, for money due and owing the said Chico Daily Record from the State of California.

Also: Assembly Bill No. 904—An Act to appropriate the sum of \$150 to pay the claim of the Inyo Independent, for money due and owing the said Inyo Independent from the State of California.

Also: Assembly Bill No. 795—An Act to appropriate the sum of \$125 to pay the claim of F. B. Colver, for money due and owing the said F. B. Colver from the State of California.

Also: Assembly Bill No. 915—An Act to appropriate the sum of \$135 to pay the claim of Clark & Sharp, for money due and owing the said Clark & Sharp from the State of California.

Also: Assembly Bill No. 809—An Act to appropriate the sum of \$175 to pay the claim of the Town Talk Publishing Co., for money due and owing the said Town Talk Publishing Co. from the State of California.

Also: Assembly Bill No. 785—An Act to appropriate the sum of \$100 to pay the claim of the Willows Promoter, for money due and owing the said Willows Promoter from the State of California.

Also: Assembly Bill No. 840—An Act to appropriate the sum of \$250 to pay the claim of A. A. Taylor, for money due and owing the said A. A. Taylor from the State of California.

Also: Assembly Bill No. 822—An Act to appropriate the sum of \$180 to pay the claim of John McGonigle, for money due and owing the said John McGonigle from the State of California.

Also: Assembly Bill No. 903—An Act to appropriate the sum of \$75 to pay the claim of Butchers and Stockgrowers' Journal, for money due and owing the said Butchers and Stockgrowers' Journal from the State of California.

Also: Assembly Bill No. 784—An Act to appropriate the sum of \$100 to pay the claim of E. M. Sehorn, for money due and owing the said E. M. Sehorn from the State of California.

Also: Assembly Bill No. 865—An Act to appropriate the sum of \$1,100 to pay the claim of W. A. Spalding, for money due and owing the said W. A. Spalding from the State of California.

Also: Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Also: Assembly Bill No. 394—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Also: Assembly Bill No. 863—An Act to appropriate the sum of \$125 to pay the claim of Blue Lake Advocate, for money due and owing the said Blue Lake Advocate from the State of California.

Also: Assembly Bill No. 790—An Act to appropriate the sum of \$400 to pay the claim of Allen B. Lemmon, for money due and owing the said Allen B. Lemmon from the State of California.

Also: Assembly Bill No. 811—An Act to appropriate the sum of \$1,600 to pay the claim of Evening Post Publishing Company, for money due and owing the said Evening Post Publishing Company from the State of California.

Also: Assembly Bill No. 885—An Act to appropriate the sum of \$300 to pay the claim of San Francisco News Letter, for money due and owing the said San Francisco News Letter from the State of California.

Also: Assembly Bill No. 768—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due and owing the said J. L. Childs from the State of California.

Also: Assembly Bill No. 747—An Act to appropriate the sum of \$150 to pay the claim of Mountain Messenger, for money due and owing the said Mountain Messenger from the State of California.

Also: Assembly Bill No. 958—An Act to appropriate the sum of \$225 to pay the claim of Napa Journal, for money due and owing the said Napa Journal from the State of California.

Also: Assembly Bill No. 836—An Act to appropriate the sum of \$600 to pay the claim of Herald Publishing Company, for money due and owing the said Herald Publishing Company from the State of California.

Also: Assembly Bill No. 828—An Act appropriating the sum of \$300 to pay the claim of Argus Publishing Company, for money due and owing the said Argus Publishing Company from the State of California.

Also: Assembly Bill No. 803—An Act to appropriate the sum of \$150 to pay the claim of Thomas M. Menihan, for money due and owing the said Thomas M. Menihan from the State of California.

Also: Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due and owing the said J. B. Sanford from the State of California.

Also: Assembly Bill No. 734—An Act to appropriate the sum of \$3,400 to pay the claim of San Francisco Call, for money due and owing the said San Francisco Call from the State of California.

Also: Assembly Bill No. 906—An Act to appropriate the sum of \$250 to pay the claim of Alfred Harrell, for money due and owing the said Alfred Harrell from the State of California.

Also. Assembly Bill No 777—An Act to appropriate the sum of \$1,184 to pay the claim of James McClatchy & Co., for money due and owing the said James McClatchy & Co. from the State of California.

Also: Assembly Bill No 890—An Act to appropriate the sum of \$150 to pay the claim of Big Valley Gazette, for money due and owing the said Big Valley Gazette from the State of California.

Also: Assembly Bill No 856—An Act to appropriate the sum of \$350 to pay the claim of Appeal Publishing Company, for money due and owing the said Appeal Publishing Company from the State of California.

Also: Assembly Bill No. 799—An Act to appropriate the sum of \$50 to pay the claim of McNab & Cassiday, for money due and owing the said McNab & Cassiday from the State of California.

Also: Assembly Bill No 801—An Act to appropriate the sum of \$175 to pay the claim of Petaluma Printing Company, for money due and owing the said Petaluma Printing Company from the State of California.

Also: Assembly Bill No 843—An Act to appropriate the sum of \$150 to pay the claim of W. D Pennycook, for money due and owing the said W. D Pennycook from the State of California.

Also: Assembly Bill No 900—An Act to appropriate the sum of \$175 to pay the claim of Shasta County Democrat, for money due and owing the said Shasta County Democrat from the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Concurrent Resolution No 15—Relative to the adjournment of the Legislature on the fourth day of March, Anno Domini 1899.

Also: Assembly Concurrent Resolution No. 17—Relative to adjournment of the Legislature on Saturday March 4, 1899.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

Also: Assembly Bill No. 918—An Act to appropriate the sum of \$150 to pay the claim of Gonzales Tribune, for money due and owing the said Gonzales Tribune from the State of California.

Also: Assembly Bill No 968—An Act to appropriate the sum of \$150 to pay the claim of Williams Farmer, for money due and owing the said Williams Farmer from the State of California.

Also: Assembly Bill No. 848—An Act to appropriate the sum of \$100 to pay the claim of Events, for money due and owing the said Events from the State of California.

Also: Assembly Bill No 934—An Act to appropriate the sum of \$150 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Also: Assembly Bill No 974—An Act to appropriate the sum of \$114 to pay the claim of the Fullerton Tribune, for money due and owing the said Fullerton Tribune from the State of California.

Also: Assembly Bill No. 929—An Act to appropriate the sum of \$150 to pay the claim of the Merced Star, for money due and owing the said Merced Star from the State of California.

Also: Assembly Bill No. 969—An Act to appropriate the sum of \$100 to pay the claim of M. C. Dufficy, for money due and owing the said M. C. Dufficy from the State of California.

Have had the same under consideration, and respectfully report the same back, amended, but without recommendation, for the reason that there appears to have been no authorization for the claims therein mentioned.

Also: Assembly Concurrent Resolution No. 19—Relative to adjournment—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with the further recommendation that it be made the special order for Thursday, March 9th, at three o'clock and thirty minutes P. M.

VALENTINE, Chairman.

ON WAYS AND MEANS—MINORITY REPORT.

On claims of newspapers for the publication of constitutional amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: We desire to make the following minority report from the Committee on Ways and Means of the Assembly, in reference to the amounts allowed, and recommendations made by a majority of the committee, to whom was referred Assembly bills for the payment of newspaper claims. While recognizing the fact that the publication of the constitutional amendments by the various newspaper proprietors was made with the reservation that their charges for the same would be paid only on approval by the State Board of Examiners, and the Legislature now assembled, we do not believe that the reductions recommended by a majority of the committee are just, and hereby dissent from the same.

It is our belief, and we hereby report, that the charges made by those papers who

were given authority to publish the amendments were reasonable, and no greater rates were charged the State than would have been charged a private citizen, company or corporation.

ARNERICH
GRIFFIN.
KELLEY.
COBB.
CAMINETTI.

Mr. Dibble moved that the report of the Committee on Ways and Means and minority report of same be printed in the Journal.

So ordered.

MOTION.

Mr. Knowland moved that the rules be suspended, and Assembly Bill No. 995 be now considered.

So ordered.

Assembly Bill No. 995—An Act to create and regulate public warehouses.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by adding after the word "warehouses" the words "within the State of California, and to provide a penalty for violations of the provisions of this Act."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. All warehouses and storehouses, and all buildings and premises used for storage purposes, and wherein property is stored for a compensation, are hereby declared to be public warehouses.

"SEC. 2. Every person, firm, or corporation now conducting, or who shall hereafter conduct a warehouse, or storage business in any public warehouse or warehouses, before transacting any such warehouse or storage business, and before issuing any warehouse receipt, shall file with the County Clerk of the county, or of the city and county, in which such business is conducted, a bond to the people of the State of California, with two or more good and sufficient sureties, in the penal sums herein designated, as follows: In all cities of the first class, and in all cities and counties, and in all counties of the first class, fifty thousand dollars; in all cities of the second class, twenty-five thousand dollars; in all cities of the third and fourth classes, ten thousand dollars; in all cities of the fifth and other classes, five thousand dollars; in all counties of the second, third, and other classes, five thousand dollars; such bond to be conditioned for the faithful performance of his, or their, or its duty in conducting or carrying on the business of a public warehouse, and as security for the payment of any penalties or damages found and adjudged in due course of law for the violation of any of the provisions of this Act, or of any of the laws of this State in relation to the duties and liabilities of warehousemen and depositaries for hire. Such bond shall be approved by a Judge of the Superior Court, and shall inure to the benefit of any depositor, or other person who shall suffer damage by any conversion, or misappropriation of goods, or other violation of law, or duty by such warehouseman, and such depositor, or other person damaged, may sue in his own name upon such bond. The sureties upon such bond must be freeholders within the State of California, and each surety must justify by making affidavit that he is worth the amount for which he seeks to qualify upon such bond; provided, however, that one of the sureties upon such bond may be a solvent surety company. A copy of this Act shall be attached to such bond before any of the sureties thereon shall justify. No lease, sale, or assignment of such warehouse, or of such warehouse or storage business, shall discharge the principal or sureties on any bond given under this Act, or deprive any depositor in such warehouse of his right of action on such bond, until such depositor shall have had thirty days' notice of such lease, sale or assignment; and if such depositor shall allow his goods to remain in such warehouse after such period of thirty days, then the principal and sureties upon such bond of the assignor, lessor, or vendor shall be relieved from further liability; and such assignee, lessee, or vendee shall, before he shall enter upon the business of public warehouseman, give a bond as in this Act required, and such bond shall cover all goods then in such warehouse. Upon complaint of any person, in writing, filed in the Superior Court, setting forth that any bond given under this Act shall have become void, or is insufficient security for the penal sum in which it was executed, the Judge of the Superior Court of the city and county, or of the county in which such

bond was filed, may, upon satisfactory proof, and upon five days' notice in writing, given under the seal of said Superior Court, to the party or parties for whom such bond was given, require a new and sufficient bond.

"Sec. 3. Any person who shall transact and carry on within this State the business of storing property for a compensation, or who shall issue a warehouse receipt, without first having filed a bond as in this Act provided, or who shall continue to transact or conduct such business after an order has been made requiring the filing of a new bond (save only that the property previously stored in such warehouse may be delivered to the person entitled to the same), shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not more than three hundred dollars for each and every day such business is carried on after such order shall have been made and served.

"Sec. 4. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed."

Amendment adopted.

Assembly Bill No. 995 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred engrossed Senate Bill No. 695—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass and be substituted for Assembly Bill No. 60 as amended, the provisions being identical; also ask that the fact of their being identical be entered in the Journal.

DUNLAP, Chairman.

Report adopted.

Senate Bill No. 695 substituted on the file for Assembly Bill No. 60, they being identical bills.

RECESS.

At five o'clock and ten minutes P. M., on motion of Mr. Wardell, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

MOTION.

Mr. Brown moved that the rules be suspended and that he be allowed to introduce a constitutional amendment.

Referred to Committee on Introduction of Bills.

WAYS AND MEANS APPROPRIATION BILLS FILE.

Mr. Valentine moved that Assembly Bill No. 67 (330 on file) and Assembly Bill No. 253 (425 on file) be transposed on the file.

So ordered.

Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 253.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 253 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego—and do now report the same back with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego, California.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the word "eighty," in line 1 of the title, printed bill, and inserting in lieu thereof the word "forty-five."

Amendment adopted.

AMENDMENT No. 2.

Amend the title by inserting in line 1 of printed bill of the title, after the word "equip," the following: "one wing of."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "eighty," in line 3, Section 1, page 1, printed bill, and inserting in lieu thereof the word "forty-five."

Amendment adopted.

AMENDMENT No. 4.

Amend by inserting in line 5, Section 1, printed bill, after the word "completing," the words "one wing."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the word "immediately," in line 1, Section 3, page 1, printed bill, and inserting in lieu thereof the following: "the first day of January, nineteen hundred."

Amendment adopted.

Assembly Bill No. 253 ordered to print, engrossment, and third reading.

Mr. Radcliff moved that Assembly Bill No. 342 (331 on file) and Assembly Bill No. 755 (313 on file) be transposed on file.

So ordered.

Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Cosper, Cowan, Crowder, De Lancie, Dibble, Fairweather, Feliz, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Mack, Marvin, McKeen, Milice, Miller of San Francisco, Muentner,

O'Brien, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wardell, White, and Mr. Speaker—46.

NOES—Messrs Clough, Conrey, Dale, Kenneally, Knowland, Melick, Meserve, Miller of Los Angeles, Sanford, and Wade—9

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Johnson gave notice that on next legislative day he would move a reconsideration of the vote whereby the Assembly this day passed Assembly Bill No. 755.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your committee of free conference concerning Senate Bill No. 56—An Act to amend Section 737 of the Political Code, relating to Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—report that we have met a like committee of the Senate, consisting of Senators Curtin, Cutler, and Bulla, and we report that the free conference committee agreed upon and recommend that the Assembly recede from its amendments to said bill, and recommend that said bill be adopted without amendment.

COBB,
CAMINETTI,
A. M. McDONALD,

Committee of Free Conference of the Assembly.

The question being, "Shall the Assembly adopt the report of the committee of free conference?"

The roll was called, and the report adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Bliss Blood, Boone, Brown, Caminetti, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Fairweather, Glenn, Henry, Hoey, Jilson, Johnson, Kelsev, Kenneally, Knights, Knowland, Le Baron, Mack, Marvin, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—47.

NOES—None.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Mr. Milice moved that Assembly Bill No. 628 (350 on file) and Assembly Bill No. 490 (332 on file) be transposed on file.

So ordered.

Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and to secure the site, and submit sketch plans and specifications therefor, to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes looking to the confinement of incorrigibles at the Folsom State Prison, to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation at such reformatory, when established, and to make an appropriation for such purposes.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 628.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 628 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and to secure the site, and submit sketch plans and specifications therefor, to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes looking to the confinement of incorrigibles at the Folsom State Prison, to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation, at such reformatory, when established, and to make an appropriation for such purposes—and we do now report the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and secure the site, and submit sketch plans and specifications therefor; to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes, looking to the confinement of incorrigibles at Folsom Prison; to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation at such reformatory, when established, and to make an appropriation for such purposes.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "five," in line 2, Section 1, page 1, printed bill, and inserting in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "and take such steps as they may deem necessary to secure the title thereto." in lines 9 and 10, Section 1, page 1, printed bill, and inserting in lieu thereof the following: "subject to the action of the next session of the Legislature."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "five," in line 2, Section 3, page 2, printed bill, and inserting in lieu thereof the word "three."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the words "from and after its passage," in lines 1 and 2, Section 4, page 2, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out of line 2, Section 1, Subdivision 1, the words "reformatory in Southern California," and inserting in lieu thereof the word "prison."

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out of line 2, subdivision 3, the word "reformatory" and inserting in lieu thereof the word "prison."

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out of line 5, subdivision 5, the word "reformatory" and inserting in lieu thereof the word "prison."

Amendment adopted.

AMENDMENT No. 8.

Amend by striking out of line 4, subdivision 6, after the word "these," the word "reformatories" and inserting in lieu thereof the word "prisons."

Amendment adopted.

By Mr. Valentine:

Amend by striking out of lines 3 and 11 of title the word "reformatory," and inserting the word "prison."

Amendment adopted.

Assembly Bill No. 628 ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Wardell:

Resolved, That Saturday, March 4, 1899, commencing at seven o'clock P. M., be devoted to the consideration of newspaper claims for the publication of the constitutional amendments.

Referred to Committee on Rules and Regulations.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 525.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 525 was considered in Committee of the Whole.

Mr. Valentine moved that the Committee of the Whole do now rise and report progress, and ask leave to sit again.

So ordered.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres—and do now report progress, and ask leave to sit again.

ANDERSON, Chairman.

Report adopted.

MOTION.

Mr. Johnson moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 2, 1899.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No 354—An Act to prohibit the desecration of the flag of the United States, and to provide a punishment therefor

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 2, 1899.

To the Assembly of the State of California

I have this day received from your honorable body the following communication, of which this is a copy, to wit:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

HON HENRY T GAGE, *Governor of the State of California*

SIR I am directed to inform you that the Assembly on this day adopted a resolution respectfully asking that you return to the Assembly for correction Assembly Bill No 24—An Act to amend Section 1521 of the Penal Code, relating to the issuing of search warrants

C W KYLIK, Chief Clerk
By H S WANZLER, Assistant.

This Assembly bill (No. 24) having been presented to me on the twenty-eighth day of February last, after having finally passed both the Senate and the Assembly, I regret to inform you that I am not aware of any law, under the surrounding conditions, which will permit me to comply with the respectful request of your honorable body to now withdraw said bill from my charge.

HENRY T GAGE,
Governor of the State of California

Ordered printed in the Journal and placed on unfinished business file.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 525.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 525 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 525—An Act making an appropriation to pay the claim of A L Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres—and do now report the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

The following committee amendment was submitted.

Amend Section 2 by striking out "effect immediately" and inserting in lieu thereof "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 525 ordered to print, engrossment, and third reading.

MOTION TO RECONSIDER.

In compliance with his notice given on yesterday, Mr. Meserve moved a reconsideration of the vote whereby Assembly Bill No. 870 was finally passed.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Cargill, Clark, Cowan, Dale, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lundquist, Mack, McKeen, Melick, Meserve, Robinson, White, and Mr. Speaker—24.

NOES—Messrs. Brown, Crowder, Devoto, Fairweather, Feliz, Griffin, Henry, Hoey, Jilson, Knights, Lardner, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Stewart, Valentine, Wade, and Wardell—23.

At nine o'clock and twenty minutes p. m., the Speaker called Mr. Belshaw to the chair.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Read third time.

Mr. Valentine moved that a select committee of one be appointed to amend Assembly Bill No. 542 as follows:

Amend by striking out of lines 24, 25, 26, 27, and 28, Section 1, page 2 (amended copy), printed Assembly Bill No. 542, the words "he shall be empowered to advertise for bids to construct new bridges, culverts, repair bridges and culverts, and let contracts for such work and materials as is necessary; he shall also have the power to accept or reject any and all bids," and inserting in lieu thereof the following: "*provided*, that before any of the moneys herein appropriated are expended on said Lake Tahoe State Wagon Road, it shall be the duty of the Highway Commissioner (provided for in an Act entitled "An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employes thereof, and to provide for the compensation of said officers and employes, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April 1, 1897) to make or cause to be made all necessary surveys, plans and specifications for contemplated work in connection with said Lake Tahoe Wagon Road, and upon their completion the Lake Tahoe Wagon Road Commissioner shall be empowered to advertise for bids for said work as covered by said surveys, plans, and specifications, and to let the contract or contracts for the same to the lowest responsible bidder; *provided*, that before any payments are made for said work it shall have been first inspected by the Highway Commissioner (of the Department of Highways), and by him certified to the State Board of Examiners as fulfilling all the conditions of the contract and plans and specifications covering said work, and all claims for said work shall be further audited and approved by the State Board of Examiners, and such having been done, the Controller shall draw his warrants, from time to time, as may be necessary, in favor of the person, or persons, to whom said money is due, and the Treasurer shall pay the same, *provided furthermore*, that the expenditure of all money for the making of plans, specifications, or surveys, and the employment of all engineers or draughtsmen therefor, and the purchase of all apparatus or supplies therefor, shall be within the jurisdiction of the Highway Commissioner (of the Department of Highways) solely, and he shall have the power to employ all such engineers and draughtsmen, and to purchase all engineering apparatus and supplies necessary for the carrying out of the provisions of this Act; but all claims for such service or material furnished shall be before payment audited and approved by the State Board of Examiners, and such having been done, the Controller shall draw his warrants for the same, and the Treasurer shall pay said warrants."

Also: Amend Section 2 by striking out all of said section after the word "dollars," in line 4, and inserting in lieu thereof the following: "to carry out the provisions of this Act for the remainder of the fiftieth fiscal year and for the fifty-first and fifty-second fiscal years. Of said sum of twenty-five thousand dollars the sum of five thousand dollars is made available immediately for paying the traveling expenses of said Lake Tahoe State Wagon Road Commission, and to pay for making of surveys, plans, and specifications by the State Highway Commissioner as herein provided, and for other expenses incident thereto. The sum of twenty thousand dollars is hereby set apart and made available from and after January first, A. D. nineteen hundred, for repairing and improving said road and structures thereon and the building of any necessary new road structures thereon."

Also: Amend Section 3 of amended printed bill by striking out the words "This Act shall take effect and be in force from and after its passage," and inserting in lieu thereof the following:

"All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed."

Also: Amend by adding a new section, to be known as Section 4, and reading as follows: "SEC. 4. This Act shall take effect and be in force from and after its passage."

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act"—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee.

Report adopted.

Assembly Bill No. 542 ordered to print, engrossment, and third reading.

Assembly Bill No. 591—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels for money due and owing the said Claus Spreckels from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Conrey, Crowder, Devoto, Dibble, Fairweather, Felz, Glenn, Griffin, Hoey, Johnson, Kelley, Kelsey, Kennaally, Knights, Le Baron, Lardner, Lundquist, Mack, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Valentine, Wade, Wardell, White, and Mr. Speaker—51.

NOES—Mr. Henry—1.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Judiciary having had under consideration Senate Bill No. 9—An Act to amend an Act in relation to foreign corporations, approved April 1, 1872—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 916—An Act to amend an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, granting additional powers to the founders and trustees of such institutions, and to add a new section thereto.

Also: Assembly Bill No. 591—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages

Report the same back, and recommend that they do pass.

JOHNSON, Chairman.

Senate Bill No. 9 ordered on Senate special file.

Assembly Bills Nos. 916 and 591 ordered on second-reading file.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 481—An Act making an appropriation to pay the claim of J. C. Nichols, for services rendered to the State of California.

Read third time.

Mr. Valentine moved that the enacting clause of Assembly Bill No. 481 be stricken out.

So ordered.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Conrey, Crowder, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Kelsev, Kenneally, Knights, Lundquist, Mack, Marvin, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Sanford, Stewart, Valentine, Wardell, White, and Mr. Speaker—48.

NOTES—Messrs. Dale, Le Baron, Lardner, Melick, Radcliff, and Wade—6.

Title read and approved.

Mr. Johnson moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 21, relative to the Mineral Land Bill.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary

SENATE JOINT RESOLUTION No 21

Resolved by the Senate and Assembly of the State of California, jointly, That we earnestly urge immediate consideration of the Mineral Land Bill, now pending in Congress, and respectfully request Hon. T. B. Reed, Speaker of the House of Representatives, to recognize some member of the California delegation, to call the same up for consideration before the close of the present session.

Resolved, That the Secretary of the Senate transmit by telegraph a copy of the foregoing resolution to the Speaker of the House of Representatives, at Washington, D. C.

Resolution read and adopted, on motion of Mr. Johnson.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed, on behalf of the Senate, Senators Bulla, Curtin, and Cutler as a second free conference committee on Senate Bill No 56—An Act to amend Section 737 of the Political Code, relating to salaries of Justices of the Supreme Court and Superior Judges, and officers connected with the Supreme Court—to meet and confer with a like committee, this day appointed by the Assembly

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary

Also:

SENATE CHAMBER SACRAMENTO, March 2, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed on behalf of the Senate Senators Taylor, Leavitt, and Chapman, as a free conference committee on Assembly Bill No 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof—to meet and confer with a like committee already appointed by the Assembly

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor, if successful.

Also: Substitute for Senate Bill No. 27—An Act amending the Civil Code of the State of California by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State of its property and franchises, or any part thereof, to any other railroad company, whether organized under the laws of this State or of any other State or Territory, or under any Act of Congress, and prescribing the conditions and penalties under which such property and franchises so sold may thereafter be operated and used.

Also: Adopted Assembly Joint Resolution No. 12—Relative to exposition at San Francisco, in 1901, of products and industries of Pacific Ocean countries.

Also: Senate Concurrent Resolution No. 10—Relative to leave of absence for Dr. George I. Drucker.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

Assembly Bill No. 651 ordered on unfinished business file.

Substitute for Senate Bill No. 27—An Act amending the Civil Code of the State of California by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State of its property and franchises, or any part thereof, to any other railroad company, whether organized under the laws of this State or of any other State or Territory, or under any Act of Congress, and prescribing the conditions and penalties under which such property and franchises so sold may thereafter be operated and used.

Read first time, and ordered on Senate special file.

Assembly Joint Resolution No. 12 ordered to enrollment.

SENATE CONCURRENT RESOLUTION NO. 10.

WHEREAS, Dr. George I. Drucker, a member of the State Board of Dental Examiners, finds it necessary, to restore his health and on account of business, to leave the State; therefore, be it

Resolved by the Senate, the Assembly concurring, That permission is hereby granted to said Dr. George I. Drucker to leave the State of California for a period not exceeding six months from the first day of March, 1899.

Resolution read and adopted.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State Home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Also: Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Also: Refused passage to Assembly Bill No. 348—An Act to amend Sections 1, 2, and 3 of an Act entitled "An Act to protect candidates for certain public offices, to prohibit certain acts by such candidates, and to provide a punishment for infractions of this law," approved March 2, 1897.

Also: Adopted Assembly Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section, to be known and designated as Section 10, Article IX, thereof, confirming the founding of the Leland Stanford Junior University, delegating certain powers to the trustees thereof, and authorizing the exemption of certain of its property from taxation.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills No. 351 and 375 ordered to enrollment.

Assembly Constitutional Amendment No. 23 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Stats 1881, 26) relating to assessing and collecting said taxes.

Also: Amended, and passed as amended, Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 182 and 5 ordered on unfinished business file.

BILL REFERRED.

Mr. Rickard moved that Assembly Bill No. 852 be referred to Committee on Ways and Means.

So ordered.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Clark, Cobb, Conrey, Crowder, Dale, Devoto, Dibble, Feliz, Glenn, Griffin, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Lundquist, Mack, Marvin, McKeen, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, and Wardell—46

NOES—None.

Title read and approved.

Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Conrey, Cowan, Devoto, Dibble, Feliz, Glenn, Griffin, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Wade, and Wardell—42.

NOES—None.

Title read and approved.

Assembly Bill No. 405—An Act to pay the claim of William H. Donnelly against the State of California, and making an appropriation therefor

Mr. Meserve moved that Assembly Bill No. 405 (340 on file) and Assembly Bill No. 54 (385 on file) be transposed on the file.

So ordered.

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No 54.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 54 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor—and do now report the same with amendment, and recommend that the same do pass as amended.

BELSHAW, Chairman.

Report adopted.

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all of Section 1 and inserting in lieu thereof the following: "SECTION 1. The sum of eighty-four thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be paid on the order of the Board of Managers of the Southern California State Hospital, as follows, to wit: For the erection of a central wing to the main building for office and ward purposes, and for furnishing the same, for the construction of a storm drain; and for the purchase and installation of one additional boiler for said hospital."

Amendment adopted.

By Mr. Valentine:

Amend by striking out of Section 8, lines 1 and 2, the words "from and after its passage" and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 54 ordered to print, engrossment and third reading.

Assembly Bill No. 415—An Act making an appropriation to pay the claim of Julius Herzog, for injuries sustained while in the service of the National Guard of California.

Mr. Rickard moved that Assembly Bill No. 415 (341 on file) and Assembly Bill No. 455 (363 on file) be transposed on the file.

So ordered.

Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Read second time.

Mr. Rickard moved that the Assembly resolve itself into Committee

of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No. 455.

Motion carried, and so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 455 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California—and do now report the same, with amendments, and recommend that the same do pass as amended.

BELSHAW, Chairman.

Report adopted.

Assembly Bill No. 455 ordered to print, engrossment, and third reading.

Mr. Merrill moved that Assembly Bill No. 962, which was recommitted to Committee on Fruit and Vine Interests to-day, retain its place on file.

So ordered.

Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Conrey, Cowan, Crowder, Crowly, Dale, Dibble, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Mack, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered by Mr. Dibble:

Resolved, That A. W. Branch be and he is hereby allowed the sum of \$84 for services rendered the Assembly as Assistant Clerk, from January 2, 1899, to, and including, January 16, 1899; and the Controller is hereby directed to draw his warrant for said amount, and the Treasurer to pay the same out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At ten o'clock and thirty-eight minutes P. M., on motion of Mr. Kelsey, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, March 3, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 3, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—74.

Quorum present.

LEAVE OF ABSENCE.

Mr. McDonald of Alameda was granted leave of absence, on motion of Mr. Atherton.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Bliss.

The Journal of Wednesday, March 1, 1899, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1899.

MR. SPEAKER: Your Committee on Mileage, to whom was referred a report and a resolution from Committee on Public Health and Quarantine, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, authorized to visit San Francisco for the purpose of investigating the Sanitary Reduction Works and other matters pertaining to quarantine, submits its accounts for expenses as follows:

C. G. Cargill	\$18 00
C. B. Jilson	18 00
W. A. La Barea	18 00
G. D. Marvin	18 00
M. Brooke	18 00
A. H. Merrill	18 00
D. S. O'Brien	18 00
L. J. Hall, clerk	18 00
Total	\$144 00

We therefore recommend the adoption of the following:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of C. G. Cargill, chairman of said committee, for the sum of \$144, as per above

statement, said warrant to be drawn upon the Contingent Expense Fund of the Assembly; and the Treasurer is directed to pay the same.

CARGILL, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that the Controller draw his warrant in favor of C. G. Cargill for the sum of \$40 to pay the mileage of Messrs. Jilson, Brooke, Merrill, O'Brien, and Hall, clerk.

GREENWELL, Chairman.

Report and resolution adopted.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, having visited the Whittier State School on Saturday, February 25, 1899, and examined into the management of the institution, and inspected the grounds, buildings, and water supply as closely as our time would permit, report as follows: We consider the management of this institution good. The Trades building, which accommodates the departments for carpentry, laundry, tailoring, shoemaking, printing, and also engine room and power-house, is in very poor condition—the jarring of the machinery having cracked the walls in many places, rendering it unsafe for its present use. We would recommend a new and separate department for the foundry and machine shops.

The other buildings are in good condition.

The source of the water supply is from the East Whittier Land and Water Company. The system is poor and expensive. The five inches owned by the State, together with the seven inches rented of the same company, does not provide the school with sufficient water for the engines, flushing, and domestic purposes, and is of poor quality on account of the silt held in solution. We consider that the school should own its water supply.

We are assured that the State can obtain an unlimited supply of pure water by boring artesian wells along the San Gabriel River, about a mile distant, at a cost of about \$15,000, and purchase land for the same at a nominal sum.

However this may be, we desire to call your attention to the absolute necessity of a further water supply.

ATHERTON, Chairman.

Ordered printed in the Journal.

MOTIONS.

By Mr. Rickard:

I move that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to amend Section 1521 of the Penal Code, relating to the issuing of search warrants."

Also: An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Referred to Committee on Introduction of Bills.

Mr. Atherton moved that his resolution offered February 15, 1899, and printed in Journal, page 4 of said date, and referred to Committee on Mileage, be recalled to the Assembly.

So ordered.

UNFINISHED BUSINESS.

Resolution by Mr. La Barea, page 24, Journal of February 22, 1899 (omitted by error), passed temporarily on file.

Report of Committee on Attachés and Employés ordered printed in Journal.

Mr. Dibble moved that further consideration be postponed until eleven o'clock and thirty minutes A. M.

So ordered.

Mr. Johnson moved to reconsider the vote whereby Assembly Bill No. 755 was passed, notice of reconsideration having been given.

Mr. Dibble moved to lay the motion to reconsider on the table.

So ordered.

Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor, if successful.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out the word "fifteen," in line 5, Section 2, printed bill, and inserting in lieu thereof the word "ten."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Chynoweth, Clark, Cosper, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Hoey, Jolson, Johnson, Kelsey, Knights, Knowland, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, and Mr Speaker—50.

NOES—Mr. Conrey—1.

Assembly Bill No. 651 ordered to reëngrossment and enrollment.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Valentine to the chair.

Assembly Bill No. 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, p. 26), relating to assessing and collecting said taxes.

Mr. Mack moved that the Assembly do now concur in the following Senate amendments.

Amend by inserting the enacting clause.

Also: Amend by inserting the following after the enacting clause:

"SECTION 1. Section 1 of an Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881, is hereby amended to read as follows."

Also: Amend by striking out the word and figure "Sec. 2," in line 1, Section 2, page 1, printed bill.

Also: Amend by striking out the word and figure "Sec. 3," in line 1, Section 3, page 2, printed bill.

Also: Amend by striking out the word and figure "Sec. 4," in line 1, Section 4, page 2, printed bill.

Also: Amend by striking out the word and figure "Sec. 5," in line 1, Section 5, page 2, printed bill.

Also: Amend by striking out the word and figure "Sec. 6," in line 1, Section 6, page 3, printed bill.

Also: Amend by striking out the word and figure "Sec. 7," in line 1, Section 7, page 3, printed bill.

Also: Amend by striking out the word and figure "Sec. 8," in line 1, Section 8, page 3, printed bill.

Also: Amend by striking out the word and figure "Sec. 9," in line 1, Section 9, page 3, printed bill.

Also: Amend by striking out the word and figures "Sec. 10," in line 1, Section 10, page 4, printed bill.

Also: Amend by striking out the word and figures "Sec. 11," in line 1, Section 11, page 4, printed bill.

Also: Amend by striking out the word and figures "Sec. 12," in line 1, Section 12, page 4, printed bill.

Also: Amend by striking out the word and figures "Sec. 13," in line 1, Section 13, page 4, printed bill.

Also: Amend by striking out the word and figures "Sec. 14," in line 1, Section 14, page 4, printed bill.

Also: Amend by striking out the word and figures "Sec. 15," in line 1, Section 15, page 4, printed bill.

Also: Amend by striking out the word and figures "Sec. 16," in line 1, Section 16, page 5, printed bill.

Also: Amend by striking out the word and figures "Sec. 17," in line 1, Section 17, page 5, printed bill.

Also: Amend by striking out the word and figures "Sec. 18," in line 1, Section 18, page 5, printed bill.

Also: Amend by striking out the word and figures "Sec. 19," in line 1, Section 19, page 5, printed bill.

Also: Amend by striking out the word and figures "Sec. 20," in line 1, Section 20, page 5, printed bill.

Also: Amend by striking out the word and figures "Sec. 21," in line 1, Section 21, page 5, printed bill.

Also: Amend by striking out the word and figures "Sec. 22," in line 1, Section 22, page 6, printed bill.

Also: Amend by striking out the word and figures "Sec. 23," in line 1, Section 23, page 6, printed bill.

Also: Amend by striking out the word and figures "Sec. 24," in line 1, Section 24, page 6, printed bill.

Also: Amend by striking out the word and figures "Sec. 25," in line 1, Section 25, page 6, printed bill.

Also: Amend by striking out the word and figures "Sec. 26," in line 1, Section 26, page 7, printed bill.

Also: Amend by striking out the word and figures "Sec. 27," in line 1, Section 27, page 7, printed bill and inserting the following: "Sec. 3."

Also: Amend by striking out of Section 1, line 7, the words "Fire department."

Also: By striking out of Section 1, line 8, the word "section," and inserting in lieu thereof the word "Sec."

Also: By striking out of Section 1, line 11, the words "Fire Commissioners, how appointed," and inserting in lieu thereof the following: "Sec. 2"

Also: By striking out of Section 1, line 21, the words "Duty of commissioners," and inserting the following: "Sec. 3"

Also: By striking out of Section 1, line 46, the word "Election," and inserting in lieu thereof the following: "Sec. 4"

Also: By striking out of Section 1, line 52, the words "Notice of election, what to contain," and inserting in lieu thereof the following: "Sec. 5"

Also: By striking out of Section 1, line 63, the words "Appointment of officers of election," and inserting in lieu thereof the following: "Sec. 6"

Also: By striking out of Section 1, line 71, the words "Form of ballot," and inserting in lieu thereof the following: "Sec. 7."

Also: By striking out of Section 1, line 74, the words "Election returns, how and when made," and inserting in lieu thereof the following: "Sec. 8."

Also: By striking out of Section 1, line 83, the words "Supervisors to levy tax," and inserting in lieu thereof the following: "Sec. 9"

Also: By striking out of Section 1, line 98, the words "Moneys, how kept," and inserting in lieu thereof the following: "Sec. 10"

Also: By striking out of Section 1, line 104, the words "No compensation to treasurer," and inserting in lieu thereof the following: "Sec. 11."

Also: By striking out of Section 1, line 108, the words "Powers of the board," and inserting in lieu thereof the following: "Sec. 12."

Also: By striking out of Section 1, line 116, the word "Same," and inserting in lieu thereof the following: "Sec. 13"

Also: By striking out of Section 1, line 122, the words "Auditing demands," and inserting in lieu thereof the following: "Sec. 14."

Also: By striking out of Section 1, line 128, the words "Levying additional tax," and inserting in lieu thereof the following: "Sec. 15"

Also: By striking out of Section 1, line 132, the word "the" before the word "keeping" and after the word "for"

Also: By striking out of Section 1, line 135, the words "Who to receive compensation," and inserting in lieu thereof the following: "Sec. 16"

Also: By striking out of Section 1, line 138, the words "Vacancies, how filled," and inserting in lieu thereof the following: "Sec. 17."

Also: By striking out of Section 1, line 139, the word "that."

Also: By inserting in Section 1, line 142, the word "the" between the words "by" and "board."

Also: By striking out of Section 1, line 144, the words "Refusal to levy tax defers election," and inserting in lieu thereof the following: "Sec. 18."

Also: By striking out of Section 1, line 145, the word "that."

Also: By striking out of Section 1, line 150, the words "Election, when held," and inserting in lieu thereof the following: "Sec. 19."

Also: By striking out of Section 1, line 151, the words "To turn over property to successors," and inserting in lieu thereof the following: "Sec. 20"

Also: By inserting in Section 1, line 162, the words "said board of" between the word "of" and the word "fire"

Also: By striking out of Section 1, line 164, the words "Act to be liberally construed," and inserting in lieu thereof the following: "Sec. 21."

Also: By striking out of Section 1, line 172, the words "Commissioners, what may regulate," and inserting in lieu thereof the following: "Sec. 22."

Also: By striking out of Section 1, line 181, the words "May adopt ordinances," and inserting in lieu thereof the following: "Sec. 23."

Also: By striking out of Section 1, line 194, the word "Misdemeanor," and inserting in lieu thereof the following: "Sec. 24."

Also: By striking out of Section 1, line 197, the words "Jurisdiction of Justice of the Peace," and inserting in lieu thereof the following: "Sec. 25."

Also: By striking out of the third line of page 7 of the printed bill the word "Sec." and inserting in lieu thereof the word "Section."

Also: By striking out of the fifth line of page 7 of the printed bill the word "Sec." and inserting in lieu thereof the word "Section."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Cannetti, Cargill, Chynoweth, Dale, De Lancey, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Raw, Richard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and Wardell—48.

NOES—None.

Assembly Bill No. 182 ordered to engrossment and enrollment.

Mr. Caminetti moved that the Assembly do now consider Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 18—Relative to Yosemite National Park.

P. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

SENATE JOINT RESOLUTION No. 18.

Relative to Yosemite National Park.

WHEREAS, By an Act of Congress approved October first, eighteen hundred and ninety, the tract of land in the State of California described as townships one (1) and two (2) north, and townships one (1), two (2), three (3), and four (4) south, all of ranges nineteen (19), twenty (20), twenty one (21), twenty two (22), twenty-three (23), and twenty-four (24) east also townships one (1), two (2), three (3), and four (4) south, of range twenty five (25) east, and also townships three (3) and four (4) south, of range twenty-six (26) east, excepting therefrom that tract of land known as Yosemite Valley, granted to the State of California for a public park by an Act of Congress approved June thirtieth, eighteen hundred and sixty four, as the same has been surveyed out and accepted by said State, have been set apart for a public park, and the same is known as the "Yosemite National Park"; and

WHEREAS, The said park by the said Act is placed under the exclusive control of the Secretary of the Interior, with power given to the said Secretary of the Interior to make such rules and regulations as he may think necessary or proper for the management of said tract of land; and

WHEREAS, The purpose for the creation by Congress through said Act of said Yosemite National Park was to preserve the timber within the boundaries thereof and to hold the lands therein as a public park; and

WHEREAS, It appears from the records of the General Land Office that there is within said park three hundred and fifty one (351) valid claims of title which claims cover an aggregate of 53,931 13 acres, and unpatented claims covering 327,97½ acres of land, making a total of 59,259 12 acres of land within said park owned by private individuals; and

WHEREAS, For many years, prior to the enactment of said Act of Congress, the individuals owning the lands situate within said park and for which title has been obtained, were accustomed to use the same for the purpose of raising and grazing stock thereon, the raising of said stock forming one of the principal industries of Tuolumne, Mariposa, and Merced counties; and

WHEREAS, By the rules and regulations governing said park, as formulated by said Secretary of the Interior that "no person other than transient visitors will be permitted to be within the park without the written authority from the Secretary of the Interior," thereby preventing the owners of said valid claims within said park from using their said lands and following their legitimate business, thus depriving several counties of a source of revenue; and

WHEREAS, The grazing of stock within said park will materially keep down the

undergrowth therein and thereby have a tendency to prevent the spreading of forest fires and will more fully preserve the timber therein as intended by the provisions of said Act; and

WHEREAS, there is within said park a larger area of land than is necessary for a public park, and that in a large portion thereof there is no timber of any consequence; and, therefore, be it

Resolved by the Senate of the State of California the Assembly concurring, That our Representatives in Congress are requested, that our Senators are instructed, to use every effort that is honorable to have the area of said park reduced and to cause the formulation of rules governing said park which will permit the owners of land therein to graze their stock upon said lands and within said park as they have heretofore done; and be it further

Resolved, That the Governor of this State is hereby directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Resolution read and adopted, on motion of Mr. Caminetti.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Passed temporarily on file.

SPECIAL FILE.

Mr. Mead moved that all of the constitutional amendments on the special file be temporarily passed, to retain place on file.

So ordered.

Assembly Bill No. 956—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Cobb, Conrey, Cosper, Dale, De Lancey, Dibble, Dunlap, Felz, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Bree, Lardner, Mack, Marvin, Mead, Melick, Merrill, Meserve, Milce, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, and Valentine—46.

NOES—Messrs. Fairweather, Glenn, Miller of Los Angeles, and Wade—4.

Title read and approved.

Mr. Johnson moved that the Assembly do now consider Assembly Bill No. 5.

So ordered.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendments adopted February 28, 1899, in the Senate:

Amend by striking out all of Section 6, after the word "any," in line 6, and inserting the following: "county, or city and county, under the provisions of this Act, shall inure to the society in said county, or city and county organized and incorporated as herein provided, in aid of the benevolent object for which it is incorporated. And in addition to said fines, the said society, so organized and incorporated, may in each city, city and

county, or county where such society exists, be paid from the county, or city and county General Fund by the Board of Supervisors, a sum not to exceed one hundred and fifty dollars per month in the same manner as other claims against said county, or city and county, are paid."

Also: Amended by striking out of Section 9, line 23, all after the word "the" and inserting the following: "treasury of the humane society of the county, or city and county, wherein the sale takes place."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Dale, De Lancey, Dibble, Dunlap, Fairweather, Felix, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of Los Angeles, Muenier, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and White—51.

NOES—None

Assembly Bill No. 5 ordered to engrossment and enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 19—Relative to leper hospital on Molokai—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

DALE, Chairman.

Senate Joint Resolution No. 19 ordered on Senate special file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations to whom was referred Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885—have had the same under consideration, and respectfully report the same back without recommendation.

RAW, Chairman.

Senate Bill No. 408 ordered on Senate special file.

Mr. Dibble moved that the Assembly do now consider Senate messages.
So ordered

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 3, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 607—An Act to protect domestic livestock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor

Also: Amended and passed as amended, Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and prescribing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary

Assembly Bill No. 607 ordered to enrollment.

Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and prescribing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 914:

Amend by inserting after the word "printing," in line 20, subdivision 4, Section 1, printed bill the words "subject to the approval of the Board of Examiners."

Amend by striking out of subdivision 7 of Section 1, line 43, the word "one," and inserting in lieu thereof the word "three."

Amend by striking out the word "regents," in line 13, Section 1.

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Atherton, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cospers, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Hoev, Huber, Jilson, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and Wardell—49

NOES—None.

Assembly Bill No. 914 ordered to engrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 9—Proposed amendment to Article VI of the Constitution, relative to the compensation of Supreme and Superior Court Judges.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Constitutional Amendment No. 9 read, and referred to Committee on Judiciary.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 957—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cospers, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Hanley, Hoev, Huber, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and White—49

NOES—Mr. Crowder—1.

Title read and approved.

MOTION.

Mr. Knights moved to make the following bills a special order for eight o'clock this evening:

Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc., as allowed, approved, and recommended by the State Board of Examiners

Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Assembly Bill No. 945—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Assembly Bill No. 754—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year.

Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs of the Capitol building and furniture for the fiftieth fiscal year.

Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Subject of the motion referred to Committee on Rules and Regulations.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 951—An Act to enable all counties, incorporated towns or cities, or consolidated counties and cities of this State, to use automatic voting or ballot machines at all elections therein.

Passed on file.

Assembly Bill No. 935—An Act relating to boards of election, and their compensation.

Passed on file.

Assembly Bill No. 551—An Act to create a commission for the purpose of examining and testing, at actual elections, by public trial and purchase, of voting machines, and reporting to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation; providing for the punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions relative to voting by machine instead of by ballot, and appropriating money for expenses and salaries, rents, advertising, employment, purchases, etc., accruing by reason of the powers conferred upon the commission.

Mr. Dibble moved that Assembly Bill No. 551 (21 on file) and Assembly Bill No. 938 (27 on file) be transposed on the file.

So ordered.

Assembly Bill No. 938—An Act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State Treasury, and the return thereof to such funds.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Johnson, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKee, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—60.

NOES—None.

Title read and approved.

Assembly Bill No. 815—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

Passed on file.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Read second time.

Mr. White moved to amend as follows:

Amend by striking out all of Section 1379, on page 13, and in lieu thereof insert the following: "Section 1379 Any person chosen to act as a primary election officer who shall willfully fail or refuse to act in the capacity for which he is chosen, without having been excused therefrom, shall be liable to a penalty in the sum of twenty-five dollars, which may be recovered in a civil suit to be brought by the District Attorney in the name of the People of the State of California, said sum when collected, together with the costs, shall be paid into the treasury of the county, or city and county, respectively."

Also: By inserting the following, on page 9, Section 1374, line 15, after the word "choice": "provided, that on any such slip there may be printed a designation of the convention to which the delegates are to be elected."

Also: On page 7, Section 1371, line 20, strike out the word "fifth," and in lieu thereof insert the word "sixth."

Amendments adopted.

Assembly Bill No. 647 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California

RICKARD, Chairman

Assembly Bill No. 603 ordered on file for final passage.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Constitutional Amendment No. 22—Relative to the regulation of charges of telephone corporations.

Passed on file

At eleven o'clock and thirty minutes A. M., the Speaker resumed the chair.

RESOLUTION.

By Mr. La Barea:

WHEREAS, The Committee on State Hospitals and Asylums did have before it several bills, petitions, and documents during the time from January 10, 1899, to February 22, 1899, and said committee having had no regular or assigned clerk, and the chairman of said committee requested and appointed as clerk of said committee Miss Irene N. Clarke, who did so act and perform the duties as clerk of said committee; therefore, be it

Resolved, That the Controller of State is hereby directed to draw his warrant in the sum of \$176 in favor of said Irene L. Clarke for such services from January 10, 1899, to February 22, 1899 (both days inclusive), and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radchill, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr Speaker—65
NOES—Mr. Melick—1.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

Resolved, That Clark Alberti be and he is hereby appointed an Assistant Clerk of the Assembly, said appointment to date from and including February 9, 1899, at which time his services began, at the same per diem as is paid other Assistant Clerks of the Assembly. The Controller of State is hereby directed to draw his warrants for said per diem, payable out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same.

Also:

Resolved, That the following persons, viz: William C. Guirey and Ed J. Smith, be and they are hereby appointed Assistant Clerks at the desk, to perform necessary duties under the direction of the Chief Clerk, and to receive the same per diem as is paid to the other Assistant Clerks at the desk, said per diem to be paid out of the appropriation for the contingent expenses of the Assembly; and be it further

Resolved, That the appointment of said William C. Guirey and said Ed J. Smith date from and include Saturday, February 18, 1899.

Have investigated the same, and we do find from the statements of the Chief Clerk of the Assembly that the services of the above named persons are necessary for the prompt transaction of business, and we do therefore respectfully report the same back, and recommend that the services of the above named clerks be retained and said resolutions adopted.

LUNDQUIST, Chairman.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Bliss, Blood, Boone, Boynton, Brooke, Brown, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowder, Crowley, De Lance, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—61.

NOES—Messrs Caminetti and Dale—2.

NOTICE OF MOTION TO RECONSIDER.

Mr. Valentine gave notice that on next legislative day he would move a reconsideration of the vote whereby the foregoing resolution was this day adopted.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

Resolved, That the following named persons be elected by the Assembly to fill the respective positions herein named for the remainder of the thirty-third session of the Legislature of the State of California: John Kofod, Porter to Sergeant-at-Arms, at \$3 per day from February 21, 1899; R. J. Kady, Rear Porter, at \$3 per day from February 16, 1899; and that they be paid out of the Contingent Fund of the Assembly.

Also:

Resolved, That the following named persons be elected by the Assembly to fill the positions of Pages for the remainder of the thirty-third session of the Legislature of the State of California: Ralph Schluer, as Page at \$2 50 per day, from February 1, 1899; Emmet Rhodes, as Page, at \$2 50 per day, from February 1, 1899; and that they be paid out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that the services of the above named persons be retained and that the above resolutions be adopted

LUNDQUIST, Chairman.

Mr. Dibble moved that the report be printed in the Journal and considered as unfinished business to-morrow.

So ordered.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 3, 1899.}

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Smith, Stratton, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kennally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—77.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, March 2, 1899. The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, March 2, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.
For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.
For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.
For Irving M. Scott—Senators Davis, Flint, and Rowell—3.
For John Rosenfeld—Senators Feeney and Langford—2.
For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, and Prisk—8.
For James D. Phelan—Senator Hall—1

Whole number of votes cast by Senators	36
W. H. L. Barnes received	7 votes
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	8 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15
For M. M. Estee—Mr Wade—1.
For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—16
For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, and Raw—18.
For Irving M. Scott—Mr. Dunlap, Cosper, and La Barea—3.
For Marion De Vries—Messrs. Brooke and Fairweather—2.
For Stephen M. White—Messrs. Boone, Cannetti, Feliz, Glenn, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.
For James D. Phelan—Messrs. Burnett and Hoey—2
For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	73
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	16 votes.
U. S. Grant, Jr., received	18 votes.

Irving M. Scott received	3 votes.
Marion De Vries received	2 votes.
Stephen M. White received	15 votes.
James D. Phelan received	2 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	109
Necessary to a choice	55
W. H. L. Barnes received	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	24 votes.
U. S. Grant, Jr. received	25 votes.
Irving M. Scott received	6 votes.
Marion De Vries	2 votes.
John Rosenfeld received	3 votes.
Stephen M. White received	23 votes.
James D. Phelan received	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., Assemblyman Dibble moved to adjourn until Saturday, March 4, 1899, at twelve o'clock M. Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, March 4, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-one minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

Mr. Belshaw moved that the Assembly proceed with the consideration of Senate special file where proceedings closed on yesterday.
So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collector, and other employés, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of

the board or employé a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or neglect to deliver to the wharfinger, or other employé of the board, a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Read third time.

Mr. Wright moved to refer Senate Bill No. 22 to a select committee of one with instructions to amend as follows

AMENDMENT NO. 1.

Amend by adding a new section which shall follow Section 30 and be known as Section 30½:

"Sec. 30½. Nothing contained in this Act shall be construed to divest the City of Oakland to any title to, interest in, or right of control over said premises, except so far as may be necessary to the exercise by said Board of Harbor Commissioners of the powers hereby conferred upon them."

AMENDMENT NO. 2.

Amend Section 5, page 8, of printed bill, by striking out all after the word "Oakland," line 11, up to and including the word "Alameda," in line 26 and inserting in lieu thereof the following: "thence southerly along and following said line of ordinary high tide, as it existed previous to artificial filling, to the mouth of the estuary of San Antonio, thence easterly along and following said line of ordinary high tide, as it existed previous to artificial filling, up said estuary to the north arm thereof, the arm extending up to Lake Merritt, thence across said north arm to the line of ordinary high tide, as it existed previous to artificial filling, on the eastern shore of said north arm, thence along and following said line of ordinary high tide, as it existed previous to artificial filling, easterly, southerly, and westerly to the line of ordinary high tide, as it existed previous to artificial filling, along the east shore of the Bay of San Francisco—that is, following said line of ordinary high tide, as it existed previous to artificial filling, up to and around what is commonly known as the Brooklyn Basin, and thence down said estuary of San Antonio on and along the line of ordinary high tide, as it existed previous to artificial filling, on its south shore to its mouth, thence due west to the western boundary line of the County of Alameda."

Motion carried, and it was so ordered.

Mr. Wright was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifica-

tions, powers, duties and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collector, and other employees; and providing for the manner of their appointment, and defining their duties, and fixing their tenure of office, providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board, or employees, a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than \$20 or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger, or other employee of the board, a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment, and providing that the Attorney-General shall furnish advice to the board when required—with instructions to amend, now reports that the instructions of the Assembly have been carried out

WRIGHT, Committee.

Report adopted.

Senate Bill No. 22 ordered to print and final passage.

Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Read third time.

Mr. Mead moved to refer Senate Bill No. 177 to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause and insert as follows:

"SECTION 1. A new section is hereby added to the Civil Code of California, to be known as section four hundred and thirty-three thereof, to read as follows:

"Section 433. On and after the first day of September, eighteen hundred and ninety-nine, no fire insurance company, corporation, or association, its officers or agents, shall make issue, or use, or deliver for use, any fire insurance policy on property in this State, except warehouse and growing grain policies, other than shall conform, in all particulars, as to blanks, size of type, content, provisions, agreements, and conditions with the printed form of contract or policy to be filed in the office of the Insurance Commissioner, as provided in four hundred and thirty-four of the Civil Code, and no other or different provision, condition, agreement or clause shall, in any manner, be made a part of said contract or policy, or be indorsed thereon, or delivered therewith, except as follows, to wit:

"1 The name of the company, its location or place of business, the date of its incorporation or organization, and the State or country under which the same is organized; the amount of paid up capital stock, whether it is a stock or mutual company, the names of its officers, the number and date of the policy; and if it be issued through a manager or agent of the company, the words, 'This policy shall not be valid until countersigned by the duly authorized manager or agent of the company at ———,' may be printed on policies issued on property in this State.

"2 Printed or written forms of description and specification or schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts and conditions of insurance on any particular risk (which facts or conditions shall in no case be inconsistent with, or a waiver of, any of the provisions or conditions of the standard policy provided for herein), may be written upon or attached or appended to any policy issued on property in this State.

"3 A company, corporation, or association, organized or incorporated under and in pursuance of the laws of this State, or elsewhere, if entitled to do business in this State, may, with the approval of the Insurance Commissioner, if the same is not already included in the standard form to be filed in the office of said commissioner as provided for herein, print on its policies any provision which it is required, by law, to insert therein, if such provision is not in conflict with the laws of this State, or of the United States, or of the provisions of the standard form provided herein; but said provision or provisions shall be printed apart from the other provisions, agreements, or conditions of the policy, and in type not smaller than the body of the policy, and under a separate title, as follows: 'Provisions required by law to be stated in this policy,' and be a part of said policy.

"4. There may be indorsed on the outside of any policy herein provided for, the name, with the word 'agent' or 'agents,' and place of business of any insurance agent or agents, either by writing, printing, stamping, or otherwise.

"5. Where two or more companies, each entitled to do business in this State, unite to issue a joint policy, there may be expressed in the heading of such policy the fact of the severality of the contract; also, the proportion of premium to be paid to each company, and the proportion of liability which each company agrees to assume, and in the printed conditions of such policy the necessary change may be made from the singular to the plural number, when reference is had to the company issuing such policy.

"Provided, that any policy made, issued, or delivered, not in conformity with this section, shall nevertheless be binding upon the company issuing the same, and such company shall thereafter be disqualified from doing any insurance business in this State.

"SEC. 2. A new section is hereby added to the Civil Code, to be known as Section 434, to read as follows:

"Section 434. The Insurance Commissioner shall prepare and file in his office, on or before the first of June, eighteen hundred and ninety-nine, a printed form, in blank, of a contract or policy of fire insurance, together with such agreement, provisions, or conditions, as may be indorsed thereon, or added thereto, and form a part of such contract or policy; and such form, when so filed, shall be known and designated as the 'California standard fire insurance policy,' and such form shall, as near as can be made applicable, conform to the New York standard fire insurance policy, so called and known. Immediately after filing said form of policy in the office of said Insurance Commissioner, he shall have five hundred copies of the same printed, and mail a copy of the same to each company doing a fire insurance business in this State."

Also: Amend the title to read as follows: "Add two new sections to the Civil Code, to be known as Sections 433 and 434 thereof, relating to the form of fire insurance policies."

Motion carried, and it was so ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MEAD, Committee.

Report adopted.

Senate Bill No. 177 ordered to print and final passage.

Mr. O'Brien moved to return to No. 29 on file, and take up for consideration Assembly Bill No. 72.

Mr. Dibble moved to lay the motion on the table.

The ayes and noes were demanded by Messrs. White, Hoey, and Hanley.

The roll was called, and the motion laid on the table by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brown, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Crowley, Dibble, Dunlap, Fairweather, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and Wright—51.

NOES—Messrs. Burnett, Caminetti, Cowan, Dale, Feliz, Hanley, Hoey, Mack, Merrill, O'Brien, Sanford, and White—12.

Senate Bill No. 134 (Substitute for Assembly Bill No. 737)—An Act authorizing school districts managed by Boards of Education or Directors to establish and maintain day schools for the deaf, and authorizing payment therefor from the State Common School Fund.

Read second time.

Mr. Kelley moved to amend as follows:

Amend by striking out of Section 1, line 17, the word "five," and inserting the word "ten."

Amendment lost.

Senate Bill No. 134 ordered on third-reading file.

Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam and other improvements by the managers of the Napa State Hospital at Napa, and appropriating money therefor.

Passed on file.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Mr. Wardell was granted unanimous consent to introduce Assembly concurrent resolution out of order.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

Resolved by the Assembly, the Senate concurring, That the Clerk of the Assembly be and he is hereby directed to send Admiral George Dewey at Manila the following cablegram, and to pay for the same out of the Contingent Fund of the Assembly: "California congratulates you."

Resolution read and adopted.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Read second time, and ordered to third reading.

Senate Bill No. 252—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

Read second time.

Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles, and making an appropriation therefor.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 6 and 252.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 6 and 252 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 252—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

Also: Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles and making an appropriation therefor.

And do now report the same back, and recommend that Senate Bill No. 252 do pass, and that Senate Bill No. 6 do pass as amended by the committee

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 252—An Act to repeal an Act entitled "An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year"; to create the office of Expert to the Controller, and prescribing his compensation.

Ordered to third reading.

Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "thirty," in line 1, Section 1, printed bill, and insert in lieu thereof the word "twenty."

Amendment adopted.

AMENDMENT No. 2.

In lines 4 and 5, printed bill, Section 1, strike out the following words: "for the erection of a library building."

Amendment adopted.

AMENDMENT No. 3.

Strike out all of Section 1, printed bill, from and after the words "main building," in line 7, and insert in lieu thereof the following: "for furnishing the new rooms constructed in the gymnasium building."

Amendment adopted.

AMENDMENT No. 4.

After the word "warrants," in line 6, Section 2, printed bill, strike out the period and insert a semicolon, and add the following words: "*provided*, that none of the sum hereby appropriated shall become available or be paid until January first, nineteen hundred."

Amendment adopted.

Senate Bill No. 6 ordered to print and third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled: Assembly Bills Nos. 247, 326, and 465 and Assembly Concurrent Resolution No. 16.

Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties for the collection of taxes.

Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries in Sisson and Price Creek.

Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees.

Assembly Concurrent Resolution No. 16—Relative to the consent of the Legislature to the absence of the Governor of the State, Henry T. Gage, from the State for a period not to exceed four months.

And were presented to the Governor March 3, 1899, at two o'clock and fifty minutes P. M.

RICKARD, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 536—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 by adding after the word "must" in line 12 of printed bill, the following: "whenever such officer is not otherwise by law specifically given assistants, clerks, or deputies for the purpose of registration."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of Section 2.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word and figure "Sec. 2," and renumbering "Sec. 3" "Sec. 2."

Amendment adopted.

By Mr. Bliss:

Amend Section 1, line 8 of printed bill, by inserting after the word "Supervisors" the words "or other boards having control of elections."

Amendment adopted.

Also: Amend Section 1, line 17 of printed bill, by inserting after the word "clerk" the words "or the person charged with the registration of voters."

Amendment adopted.

By Mr. Le Baron:

Amend by inserting after the word "county," in line 12, Section 1, page 1, printed bill, the following: "by and with the consent of the principal of the office."

Amendment adopted.

Senate Bill No. 536 ordered to print and third reading.

Senate Joint Resolution No. 17—Relative to the mineral lands within the railroad land grants of California and the segregation and reservation of said mineral lands.

Mr. Caminetti moved that Senate Joint Resolution No. 17 be stricken from the file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements by the managers of the Napa State Hospital, at Napa, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Mr. Valentine moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 300.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 300 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the

construction of a dam, and other improvements by the managers of the Napa State Hospital, at Napa, and appropriating money therefor—and do now report back the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam and other improvements by the managers of the Napa State Hospital, at Napa, and appropriating money therefor.

The following committee amendment was submitted:

Amend by striking out the word "seventy-five," in line 1, Section 2, printed bill, and inserting in lieu thereof the word "fifty."

Amendment adopted.

Senate Bill No. 300 ordered to print and third reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Read second time.

Mr. Chynoweth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 277.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 277 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same—and do now report the same, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Mr. Chynoweth moved to amend as follows:

Amend by striking out all of Section 4, and inserting the following:

"SEC. 4. The unexpended balance of the appropriation for armory rents and other expenses of the N. G. C. for the forty-ninth and fiftieth fiscal years, or so much thereof as may be necessary, is hereby appropriated for the purposes of this Act."

Amendment adopted.

Senate Bill No. 277 ordered to print and third reading.

Senate Bill No. 93—An Act to amend an Act entitled "An Act to

establish a Political Code," approved March 12, 1872, by amending Sections 3748, 3758, and 3759 of said Political Code, and by repealing Sections 3762 of said Code, all relating to revenue and taxation.

Read second time.

Mr. Kelley moved to amend as follows:

Amend by striking from the bill all after Section 1 and inserting in lieu thereof the following:

SEC. 2. Section three thousand seven hundred and fifty-eight of the Political Code is hereby amended so as to read as follows:

3758. On the second Monday in December of each year, in each of the counties, and cities and counties of this State, the Tax Collector must attend at the office of the Auditor; have all items of taxes collected marked "paid" upon the assessment book, and the Auditor shall thereupon compute the total amount of taxes delinquent, and as soon as said total amount of delinquent taxes are computed the Auditor shall charge the Tax Collector with the total amount of delinquency, and deliver to the Tax Collector a statement of said amount of delinquency charged. Said statement shall be made to the Tax Collector within ten days from the second Monday in December of each year.

SEC. 3. Section three thousand seven hundred and fifty-nine of the Political Code is hereby amended so as to read as follows:

3759. On the third Monday in May of each year, in each of the counties, and cities and counties of this State, the Tax Collector must have all items of taxes and penalties collected marked "paid" upon the assessment book, and the Tax Collector must attend at the office of the Auditor, and said Auditor shall thereupon compute the total amount of delinquency chargeable, and also charge the Tax Collector with the total amount of delinquency.

SEC. 4. Section three thousand seven hundred and sixty-two is hereby repealed.

SEC. 5. This Act shall take effect and be in force from and after its passage.

Amendment adopted.

Senate Bill No. 93 ordered to print and third reading.

Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Read second time.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Senate Bill No. 29.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 29 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor—and do now report the same with amendments, and without recommendation.

ANDERSON, Chairman

Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Read second time.

Mr. Valentine moved to amend as follows:

Amend by inserting at the beginning of line 1, Section 1, the words "Section 1."

Amendment adopted.

Also: Amend by striking out of Section 2, line 1, the words "the passage of this Act," and inserting the following: "this Act goes into effect."

Amendment adopted.

Also: Amend by striking out of Section 3, line 5, the words "the passage of this Act," and inserting the following: "this Act goes into effect."

Amendment adopted.

Also: Amend by striking out of Section 5, line 1, the words "one hundred," and inserting in lieu thereof the word "fifty"

Amendment adopted.

Also: Amend by adding to Section 5 the following: "Before any expense shall be incurred for said building, except for making the proper plans and specifications and for the estimates of cost, proper plans and specifications and estimates of costs for said buildings shall be approved by said trustees, and also by the State Board of Examiners. Such plans and specifications shall not thereafter be changed or modified except by the consent of said trustees and of said State Board of Examiners"

Amendment adopted.

Also: Amend by striking out of Section 8, line 2, the words "its passage" and inserting in lieu thereof the words "January first, nineteen hundred."

Amendment adopted.

Senate Bill No. 29 ordered to print and third reading.

REPORT OF STANDING COMMITTEE.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom were referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The bills are as follows: Assembly Bills Nos. 1001, 1002, and 1003; also, Assembly Constitutional Amendment No. 25.

COBB, Chairman.

Report adopted.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Raub, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—60.

NOES—Mr. Miller of Los Angeles—1.

INTRODUCTION OF BILLS, ETC.

By Mr. Rickard: Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Read first time, and referred to Committee on Judiciary, and made special order for Monday, March 6, 1899.

Also: Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read first time, and referred to Committee on Judiciary, and made special order for Monday, March 6, 1899.

By Mr. Arnerich: Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act to create and establish a State Board of Horticulture, and appropriate money to pay the expenses thereof, approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof.

Read first time, and referred to Committee on Judiciary, and made special order for Monday, March 6, 1899.

By Mr. Brown: Assembly Constitutional Amendment No. 25—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section to Article II thereof, to be known as Section 6, permitting the expression by ballot by the people of their preference for the office of United States Senator.

Read, and referred to Committee on Judiciary.

Mr. McKen moved that the Assembly do now reconsider the vote whereby Senate Bill No. 414 was refused final passage, and further moved to continue the motion to reconsider until next legislative day.

So ordered.

IN RE MILTON J. GREEN.

Mr. Dibble moved that further consideration of no appearance of Milton J. Green be made special order for next Wednesday at three o'clock p. m.

Mr. Johnson moved to amend as follows:

Provided, That if the said Milton J. Green appear in Sacramento before the said date, the Sergeant-at-Arms be directed to take him into custody, and that the Clerk notify him of this matter.

Mr. Dibble accepted the amendment.

Motion as amended carried, and it was so ordered.

Mr. Rickard moved that Assembly Bills Nos. 1001 and 1002 be made a special order for Monday.

So ordered.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations have the honor to report that they have held a joint conference with the Senate Committee on Rules and Revision with respect to the action of the Assembly on Assembly Bill No. 118.

It was contended by the Committee on Rules and Revision of the Senate that the action of the Assembly in postponing indefinitely the report of the Conference Committee on Assembly Bill No. 118 (the conference having been ordered by each house) was unparliamentary, and tended to deprive the Senate of its parliamentary right to recede from the amendments introduced in that body, and thereby to defeat the bill.

Your committee are of the opinion that the action of the House in indefinitely postponing the conference report, as aforesaid, was unparliamentary.

Your committee therefore recommend that the action of the House in postponing indefinitely the report of the conference committee on Assembly Bill No. 118 be reconsidered; that the Assembly conferees on said bill be discharged from further consideration of the bill, that the Senate be informed that a free conference is desired, and that free conferees be appointed by the Speaker

DIBBLE, Chairman.

Ordered printed in Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rule for the consideration of business on the file at the session to be held this evening, commencing at eight o'clock; that the following bills containing appropriations for deficiencies be first taken up and considered:

Assembly Bills Nos. 664 (file No. 312), 665 (file No. 313), 605 (file No. 314), 606 (file No. 315), 945 (file No. 411), 754 (file No. 372), 695 (file No. 365), 696 (file No. 366).

Also: That Assembly Bill No. 994 (No. 267 on the file) be also considered. That there-
after at said session the third reading file be considered; that during the consideration
of said business, no other business shall be in order except by unanimous consent of
the House.

Also: Your committee have had under consideration the resolution introduced by
Mr. Wardell, providing that at a session to be held Saturday evening, March 4, 1899,
commencing at seven o'clock, the consideration of appropriation bills for the publica-
tion of constitutional amendments be made a special order.

Your committee report as a substitute for said resolution the following regulation:

That the File Clerk be instructed to place on a special file, in the order in which they
shall have been reported from the Committee on Ways and Means, all bills containing
appropriations for publication of constitutional amendments, and that said file be con-
sidered at a session of the Assembly to be held Saturday evening, March 4, 1899, com-
mencing at seven o'clock; that after the consideration of said special file the order of
business shall be the consideration of the third reading file. That during the considera-
tion of the business at said session no other business shall be in order except by
unanimous consent.

Also: Your committee report the following special rule for the consideration of the
business on the files at the sessions of the Assembly to be held on Monday evening,
March 6, Tuesday evening, March 7, and Wednesday evening, March 8, 1899, com-
mencing at seven o'clock each evening: that from seven o'clock to eight o'clock and
thirty minutes each evening, the consideration of appropriation bills, on the special
file of appropriation bills, shall be in order; at eight o'clock and thirty minutes the
order shall be the consideration of the third reading file at each of said sessions; that
during said session no other business shall be in order except the consideration of said
bills, except by unanimous consent of the House.

DIBBLE, Chairman.

Mr. Dibble called for a division of the question.

Mr. Dibble moved the adoption of the first section.

Mr. Valentine moved to amend by adding to list of bills Assembly
Bill No. 581.

Amendment lost.

Mr. Belshaw moved to amend by adding to list of bills Assembly Bill
No. 618.

Mr. Hanley moved to lay Mr. Belshaw's motion on the table.

Motion carried, and it was so ordered.

The first section of the report was adopted, and the balance ordered
printed in the Journal.

At four o'clock and five minutes P. M., the Speaker called Mr. Belshaw
to the chair.

SPECIAL ORDER.

Assembly Bill No. 996—An Act making an appropriation for the sup-
port of the government of the State of California for the fifty-first and
fifty-second fiscal years.

Mr. Valentine moved that the Assembly resolve itself into Committee
of the Whole, with Mr. Belshaw in the chair, for the purpose of con-
sidering Assembly Bill No. 996.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 996 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly
Bill No. 996—An Act making an appropriation for the support of the government of the

State of California for the fifty-first and fifty-second fiscal years—and do now report progress, and recommend that the committee be allowed to sit again.

HELISHAW, Chairman

Report adopted.

Mr. Valentine moved that the consideration of Assembly Bill No. 996 be made special order for to-morrow, immediately after consideration of the Senate file.

So ordered.

MOTION.

Mr. Sullivan moved that the Assembly do now take up Senate messages.
Motion lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Pierce:

Resolved, That the Chief Clerk be instructed to inform the Senate that the Assembly has appointed a special committee, composed of Messrs. Pierce, Valentine, and Caminetti, to confer with a like committee of the Senate to consider the proposition of redistricting the State for district fair purposes, and also to request the Senate to appoint a committee to meet in joint conference to discuss the matter in question.

Resolution adopted.

Mr. Johnson moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 7, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos two hundred and fifty-seven (257) and four hundred and twenty (420).

HENRY T. GAGE,
Governor of the State of California.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 14—To propose to the people of the State of California an amendment to the Constitution of the State amending Article XIII by adding a new section thereto, to be known as Section 1¾, relating to the exemption from taxation of all bonds issued by the State of California, or by any county, city, city and county, town, municipality, municipal corporation of any sort, or district (including school, reclamation, and irrigation districts) within said State.

Also: Senate Constitutional Amendment No. 4—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be known and designated as Section 2½ Article 11 thereof, concerning primary elections.

Also: Passed Assembly Bill No. 373—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds

Also: Adopted Assembly Joint Resolution No. 7—Relative to irrigation of San Joaquin Valley.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Constitutional Amendments Nos. 14 and 4 read, and referred to Committee on Judiciary.

Assembly Bill No. 373 ordered to enrollment.

Assembly Joint Resolution No. 7 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 20—Relative to the congratulation of Admiral George Dewey.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Concurrent Resolution No. 20 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled: Assembly Bills Nos. 375 and 351, Assembly Constitutional Amendment No. 23, and Assembly Joint Resolution No. 12.

Assembly Bill No. 375—An Act to amend Section 1281 of the Political Code.

Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon; to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Assembly Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be known and designated as Section 10, Article IX thereof, confirming the founding of the Leland Stanford Junior University, delegating certain powers to the trustees thereof, and authorizing the exemption of its property from taxation.

Assembly Joint Resolution No. 12—Providing for an exposition of the products and industries of the United States, the Hawaiian and Philippine Islands, and other countries, proposed to be held at the City of San Francisco, State of California, beginning May 1, 1901, and continuing to the end of the year.

And were presented to the Governor March 3, 1899, at four o'clock and fifty-five minutes P. M.

RICKARD, Chairman.

ON EDUCATION—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER. Your Committee on Education, to whom was referred Assembly Bill No. 430—An Act to provide for the establishment and maintenance of public libraries—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

DE JANCIE, Chairman.

Assembly Bill No. 430 ordered on second-reading file.

RECESS.

At five o'clock and twenty-eight minutes P. M., on motion of Mr. Kenneally, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

UNFINISHED BUSINESS ON FILE OF WAYS AND MEANS APPROPRIATION BILLS.

Assembly Bill No. 664—An Act making an appropriation to pay deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Dibble, Fairweather, Feliz, Griffin, Jilson, Johnson, Knights, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—52.

NOES—None

Title read and approved.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Boone, Bovnton, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Fairweather, Feliz, Griffin, Hanley, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building, furniture, etc., as allowed, approved, and recommended by the State Board of Examiners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lancie, Devoto, Dibble, Fairweather, Feliz, Griffin, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Valentine, Wade, Wardell, Wright, and Mr Speaker—52.

NOES—Messrs. Cowan and E. D. Sullivan—2.

Title read and approved.

Assembly Bill No. 754—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of Supreme Court for the fiftieth fiscal year.

Read second time.

Assembly Bill No. 945—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bills Nos. 945 and 754.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 945 and 754 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 945—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Also: Assembly Bill No. 754—An Act making appropriation to pay the deficiency in

the appropriation for postage and contingent expenses of the Clerk of Supreme Court for the fiftieth fiscal year.

And do now report the same back, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bills Nos. 945 and 751 ordered to third reading.

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year.

Read third time.

Mr. Valentine moved that a select committee of one be appointed, with instructions to amend Assembly Bill No. 605 as follows:

In line 1, Section 1, printed bill, strike out the word "one," and insert the word "two."
Also: Strike out of line 2, Section 2, the word "sixty-four," and insert the word "thirty-nine."

Also: Strike out of line 2, Section 2, the word "thirty," and insert the word "ten."

Also: Strike out of lines 5 and 6 the words "page six of their report for eighteen hundred and ninety-nine."

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year—with instructions to amend, now reports that the instructions of the Assembly have been carried out

VALENTINE, Committee.

Report adopted.

Assembly Bill No. 605 ordered to print, engrossment, and third reading.

Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture for the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Devoto, Dibble, Fairweather, Griffin, Henry, Johnson, Knights, Knowland, La Barea, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—47.

NOES—Messrs. Cowan and Eugene Sullivan—2.

Title read and approved.

Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Conrey, Devoto, Dibble, Fairweather, Feliz, Griffin, Hanley, Johnson, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—47.

NOES—Messrs. Cowan, Crowley, Dale, and Eugene Sullivan—4.

Title read and approved.

Assembly Bill No. 994—An Act to permit asexualization of the inmates of the State Hospital and the California Home for the Care and Training of Feeble-Minded Children.

Read second time, ordered to engrossment and third reading.

Mr. Johnson moved that Assembly Bill No. 994 be made special order for to-morrow at eleven o'clock A. M.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 188—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 2039, concerning the manner in and the time within which certain objections to depositions shall be made.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Clark, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancia, Dibble, Feliz, Griffin, Hanley, Henry, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Raub, Raw, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—52

NOES—Mr. Fairweather—1.

Title read and approved.

Assembly Bill No. 482—An Act to amend Section 2955 of the Civil Code of the State of California.

Read third time.

Mr. Henry moved to refer the bill to a select committee of one, with instructions to amend by striking out the enacting clause.

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancia, Fairweather, Feliz, Hanley, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—48.

NOES—Mr. Henry—1.

Title read and approved.

Assembly Bill No. 384—An Act relating to "grub-stake contracts."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Crowder, Crowley, Dale, De Lancia, Fairweather, Feliz, Greenwell, Hanley, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—54

NOES—Mr. Henry—1.

Title read and approved.

Assembly Bill No. 140—An Act to repeal an Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective

locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given recordation of notices of location and affidavits, approved March 27, 1897.

Mr. Johnson moved that Assembly Bill No. 140 (69 on file) and Assembly Bill No. 654 (198 on file) be transposed on the file.

So ordered.

Assembly Bill No. 654—An Act to amend the Civil Code of the State of California by adding a new section thereto, to be designated and numbered Section 1716.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Arnerich, Beecher, Blood, Boynton, Cosper, Crowley, De Lancie, Devoto, Dibble, Griffin, Hanley, Henry, Johnson, Kelsey, Kenneally, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Tuolumne, Merrill, Muentner, Raub, Raw, Rickard, Stewart, Eugene Sullivan, and Mr. Speaker—29.

NOES—Messrs. Barry, Belshaw, Brown, Cargill, Conrey, Cowan, Dale, Fairweather, Feliz, Hoey, Lardner, Meserve, Milice, Miller of Los Angeles, O'Brien, Radcliff, Robinson, Valentine, and Wade—19.

NOTICE OF MOTION TO RECONSIDER.

Mr. Barry gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 654 was this day refused final passage.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 994—An Act to permit asexualization of inmates of the State Hospitals and the California Home for the Care and Training of Feeble-Minded Children.

RICKARD, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Joint Resolution No. 19—Relative to the irrigation of the Colorado Desert, and lands adjacent and contiguous thereto, and other lands.

Mr. Crowder moved that Assembly Joint Resolution No. 19 (70 on file) and Assembly Bill No. 306 (150 on file) be transposed on file.

So ordered.

Assembly Bill No. 306—An Act amending the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and designated as Section 1403, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Boynton, Brown, Caminetti, Cargill, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Fairweather, Feliz, Griffin, Hanley, Johnson, Kelsey, Kenneally, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of San

Francisco, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—48.

NOES—Mr. Clough—1.

Title read and approved.

Assembly Bill No. 478—An Act regulating the cancellation of fire insurance policies, and providing penalties for refusing to cancel the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beccher, Belshaw, Blood, Boynton, Brown, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Fairweather, Feliz, Hanley, Johnson, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 745 (Substitute for Assembly Bills Nos. 222 and 223)—An Act to abolish the office of Quarantine Officer for the Board of Health for the City of San Francisco.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Dibble, Fairweather, Feliz, Hanley, Hoey, Johnson, Kelsey, Knights, Knowland, La Barea, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Muentner, O'Brien, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—44.

NOES—Messrs. Barry, Crowley, Griffin, Kenneally, Lundquist, Radcliff, and Eugene Sullivan—7.

Title read and approved.

Assembly Bill No. 596—An Act to amend Section 3640 of the Political Code of the State of California, relating to Assessor's field enrollment book.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Caminetti, Cargill, Clough, Conrey, Cowan, Crowder, Dale, Dibble, Fairweather, Feliz, Griffin, Hanley, Hoey, Johnson, Kelsey, Knights, Knowland, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Miller of Los Angeles, Muentner, O'Brien, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cobb, Conrey, Cowan, Dale, Dibble, Feliz, Griffin, Hanley, Hoey, Johnson, Kelsey, Kenneally, Knights, Lardner, Mack, Marvin, McDonald of Tuolumne,

McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, O'Brien, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—43.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 9—Relative to election of United States Senator.

Mr. Brooke moved that Assembly Bill No. 392 (98 on file) and Assembly Concurrent Resolution No. 9 (75 on file) be transposed on the file.

So ordered.

Assembly Bill No. 392—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cowan, Crowley, Dibble, Feliz, Griffin, Hanly, Johnson, Kelsey, Kenneally, Knights, Knowland, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of San Francisco, Muenter, O'Brien, Raub, Rickard, Sanford, Stewart, Waidell, White, and Mr. Speaker—41.
NOES—Mr. Clough—1.

Title read and approved.

Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

Mr. Miller of San Francisco moved that Assembly Bill No. 831 (119 on file) and Assembly Bill No. 432 (76 on file) be transposed on file.

So ordered.

Assembly Bill No. 831 (Substitute for Assembly Bill No. 448)—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein poolselling or bookmaking is carried on, except when said pools are sold or said bookmaking is carried on within the race track, enclosure, fair grounds, or buildings wherein such trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, shall be had and occur and upon the days when such trials or contests actually occur or are had, and to provide a punishment for the violation of this Act.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Dale, Dibble, Fairweather, Feliz, Griffin, Hanley, Hoey, Johnson, Kelsey, Knowland, Lardner, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Milice, Miller of San Francisco, O'Brien, Raub, Rickard, Sanford, Stewart, Wade, Wardell, White, and Mr. Speaker—43.
NOES—Messrs. Crowley, Henry, Kenneally, and Lundquist—4.

Title read and approved.

Assembly Bill No. 433—An Act to amend Section 171 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to separate property of the wife.

Mr. Caminetti moved that Assembly Bill No. 140 (69 on file) and Assembly Bill No. 433 (77 on file) be transposed on the file.

So ordered.

Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Feliz, Hanley, Johnson, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—51

NOES—Mr. Hoey—1.

Title read and approved.

Assembly Bill No. 183—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Mr. Dibble moved that Assembly Bill No. 183 (78 on file) and Assembly Bill No. 58 (60 on file) be transposed on the file.

So ordered.

Assembly Bill No. 58—An Act to amend Section 3546 and Section 3547 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Cargill, Clark, Clough, Cobb, Cowan, Crowley, Dale, Dibble, Feliz, Hanley, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Tuolumne, Melick, Meserve, Milice, Miller of San Francisco, O'Brien, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith, and Ida Bernice Smith.

Mr. Johnson moved that Assembly Bill No. 573 (79 on file) and Assembly Bill No. 668 (321 on file) be transposed on the file.

So ordered.

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

Read third time.

The question being on final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowley, Dibble, Feliz, Hanley, Hoey, Johnson, 75—A

Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Mack, McDonald of Tuolumne, Mead, Melick, Merrill, Milice, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Wright, and Mr Speaker—44.

NOES—Messrs. Dale, Meserve, and Wade—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Hoey gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 668 was this day finally passed.

ADJOURNMENT.

At eleven o'clock and six minutes P. M., on motion of Mr. Mead, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, March 4, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 4, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Bliss and McDonald of Alameda were granted leave of absence for the day, on motion of Mr. Crowder.

Mr. La Barea was granted leave of absence for the day, on motion of Mr. Valentine.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wright.

The Journal of Thursday, March 2. 1899, was read and approved.

MOTION TO RECONSIDER.

Mr. Johnson moved to reconsider the vote whereby Assembly Bill No. 668 (Substitute for Assembly Bill No. 11) was finally passed.

Mr. Hoey moved to postpone the motion to reconsider until three o'clock and thirty minutes this afternoon.

Mr. Dibble moved to lay the motion to reconsider on the table.

Motion carried, and it was so ordered.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 36—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891, by adding the following section thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CARGILL, Chairman.

Assembly Bill No. 36 ordered on second-reading file.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 895—An Act to amend Section 1183 of the Code of Civil Procedure, concerning mechanics' liens for work done and materials furnished—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MUENTER, Chairman.

Assembly Bill No. 895 ordered on second-reading file.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 889—An Act making transfer checks or tickets issued to a passenger on any street cars operated in any city and county in this State transferable, and conferring on the transferee thereof all the rights and privileges of the original holder, and providing a punishment for a violation thereof.

Also: Assembly Bill No. 985—An Act making an appropriation to pay the expenses of the Railroad Commissioners of California in conducting certain litigation.

Also: Assembly Bill No. 922—An Act requiring foreign insurance companies to give security for the payment of their policies of insurance.

Have had the same under consideration, and respectfully report the same back without recommendation

RAUB, Chairman.

Assembly Bills Nos. 889, 985, and 922 ordered on second-reading file.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER. Your Committee on Education, to whom was referred Assembly Bill No. 937—An Act to amend Sections 1637 and 1638 of Part III, Chapter III, Title III of the Political Code, relating to the school law of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 928—An Act to enable the Board of Education of the City and County of San Francisco to continue and maintain the San Francisco Normal School, to secure better recognition thereof, and to appropriate \$15,000 for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 753—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study—have had the same under consideration, and respectfully report the same back as amended, without recommendation.

DE LANCIE, Chairman.

Assembly Bills Nos. 937, 928, and 753 ordered on second-reading file.

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, to whom was referred Assembly Bill No. 466—An Act to increase the membership of the auditing board to the Commissioner of Public Works.

Also: Assembly Bill No. 548—An Act to regulate the practice of architecture.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CONREY, Chairman.

Assembly Bills Nos. 466 and 548 ordered on second-reading file.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was re-referred Assembly Bill No. 506—An Act to amend Sections 3, 5, and 6 of Article II of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State Hospitals for the Insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

WADE, Chairman.

Mr. Wade moved to take up and consider at this time Assembly Bill No. 506.

So ordered.

Assembly Bill No. 506—An Act to amend Sections 3, 5, and 6 of Article II of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State Hospitals for the Insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

Read third time.

Mr. Wade moved that Assembly Bill, No. 506 be referred to a select committee of one with instructions to amend as follows:

Amend by striking out the word "and" after the figure "5," in line 1 of title, page 1, printed bill, and inserting after the figure "6" the word and figure "and 8"

Also: Amend by striking out the word "practitioners," in line 48, Section 3, page 4, printed bill

Also: Amend by striking out the words "two thousand five hundred," in line 53, page 4, printed bill, and inserting in lieu thereof the words "three thousand."

Also: Amend by inserting in line 55, page 4, printed bill, after the word "thousand," the words "five hundred."

Also: Amend by striking out all of subdivision 6, page 5, printed bill, after the word "cause," in line 65, and inserting in lieu thereof the following: "or for any violation of any of the rules and regulations that may be prescribed by the Board of Managers."

Also: Amend by adding another section at the end of said bill, to read as follows:
"SEC. 4. Section eight of the above-mentioned and described Act is hereby amended so as to read as follows:

"Section 8. The commission shall fix the annual salaries of the resident officers and treasurer of the State hospitals, which shall be uniform in all the State hospitals. They shall classify the other officers and employés in grades, and determine the salaries and wages to be paid in each grade, which shall be uniform in all the State hospitals. The salaries and wages shall be included in the monthly estimates and paid in the same manner as other expenses of the State hospitals. The medical superintendents, the assistant physicians, and steward, each of them and their families, shall be furnished room, household furniture, laundry service, drugs when ill, provisions, fuel, and lights, at and from the supplies of the hospital."

Motion carried, and it was so ordered.

Mr. Wade was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 506—An Act to amend Sections 3, 5, and 6 of Article II of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State Hospitals for the Insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

WADE, Committee.

Report adopted.

Assembly Bill No. 506 ordered to print and reengrossment.

MOTION TO RECONSIDER.

Mr. Valentine moved to reconsider the vote whereby the report of the Committee on Attachés and Employés was on yesterday adopted, and further moved to lay the motion on the table.

So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: Your committee of free conference concerning Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof—report that we have met a like committee of the Senate, consisting of Senators Taylor, Chapman, and Leavitt, and we report that the free conference committee agreed upon and recommend the adoption of the following amendments to said bill, viz:

AMENDMENT No. 1.

Add to the title the following, viz:

"Providing for the insertion of certain stipulations in contracts for public works, imposing penalties for violation of the provisions of this Act, and providing for the enforcement thereof."

AMENDMENT No. 2.

Add to Section 2 the following, viz:

"Nothing in this Act shall be construed to authorize the collection of said penalty from the State or any political subdivision thereof."

Said amendments being new amendments from the committee.

HOEY, Chairman.
JOHNSON.

Mr. Hocy moved that the report be adopted.

Motion carried, and it was so ordered.

Assembly Bill No. 366 ordered to print and final passage.

MOTION TO AMEND RULES.

Mr. E. D. Sullivan moved to amend Rule I of the Standing Rules of the Assembly so as to read as follows:

1. The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock A. M. A recess shall be taken at twelve o'clock and thirty minutes P. M. to two o'clock P. M., unless otherwise ordered by a vote of the House.

Referred to Committee on Rules and Regulations.

MOTION.

Mr. Johnson moved that the following special orders, viz: 7, 8, 9, 10, and 11 on the file, be continued and made special orders for two weeks from to-day.

Mr. Dibble moved to amend and make the time eleven o'clock to-night.

Mr. Johnson accepted the amendment.

Motion as amended carried, and it was so ordered.

Mr. Belshaw moved to include in the list of special orders for eleven o'clock to-night Nos. 461 and 462 on file.

So ordered.

UNFINISHED BUSINESS FILE.

Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Temporarily passed on file.

Mr. Dibble called up for consideration the following report:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rule for the consideration of business on the file at the session to be held this evening, commencing at eight o'clock; that the following bills containing appropriations for deficiencies be first taken up and considered:

Assembly Bills Nos. 664 (file No. 312), 665 (file No. 313), 605 (file No. 314), 606 (file No. 315), 945 (file No. 411), 754 (file No. 372), 695 (file No. 365), 696 (file No. 366).

Also: That Assembly Bill No. 994 (No. 267 on the file) be also considered. That thereafter at said session the third-reading file be considered; that during the consideration of said business, no other business shall be in order except by unanimous consent of the House.

Also: Your committee have had under consideration the resolution introduced by Mr. Wardell, providing that at a session to be held Saturday evening, March 4, 1899, commencing at seven o'clock, the consideration of appropriation bills for the publication of constitutional amendments be made a special order.

Your committee report as a substitute for said resolution the following regulation:

That the File Clerk be instructed to place on a special file, in the order in which they shall have been reported from the Committee on Ways and Means, all bills containing appropriations for publication of constitutional amendments, and that said file be considered at a session of the Assembly to be held Saturday evening, March 4, 1899, commencing at seven o'clock; that after the consideration of said special file the order of business shall be the consideration of the third-reading file; that during the consideration of the business at said session no other business shall be in order except by unanimous consent.

Also: Your committee report the following special rule for the consideration of the business on the files at the sessions of the Assembly to be held on Monday evening, March 6, Tuesday evening, March 7, and Wednesday evening, March 8, 1899, commencing at seven o'clock each evening: that from seven o'clock to eight o'clock and thirty minutes each evening, the consideration of appropriation bills, on the special file of appropriation bills, shall be in order; at eight o'clock and thirty minutes the order shall be the consideration of the third-reading file at each of said sessions; that during said sessions no other business shall be in order except the consideration of said bills, except by unanimous consent of the House.

DIBBLE, Chairman.

Mr. Dibble moved the adoption of the last three sections.

Motion carried, and it was so ordered.

Mr. Dibble moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 4, 1899

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 247

HENRY T. GAGE,
Governor of the State of California.

MOTION.

In re reconsideration of the vote whereby Senate Bill No. 414 was refused final passage.

Mr. Johnson moved to continue the motion to reconsider until Monday.

So ordered.

Mr. Belshaw moved to begin on Senate special file to-day where the Assembly closed yesterday.

So ordered.

Mr. Valentine moved to begin on the file at No. 29.

So ordered.

SPECIAL FILE.

Assembly Bill No. 750—An Act to create the Board of State Capitol Commissioners, define its powers and duties, provide for certain officers and employes, define the duties and powers of such officers and employes, and fix their compensation.

Passed on file, but to retain place on file.

Assembly Bill No. 551—An Act to create a commission for the purpose of examining and testing, at actual elections, by public trial and purchase, of voting machines, and reporting to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation; providing for the punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions relative to voting by machine instead of by ballot, and appropriating money for expenses and salaries, rents, advertising, employment, purchases, etc., accruing by reason of the powers conferred upon the commission.

Passed on file.

Assembly Bill No. 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys in the San Francisco Depot Sinking Fund.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

Messrs. Arnerich, Atherton, Belshaw, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Griffin, Hanley, Henry, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKee, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 13.

A resolution to amend Section 12 of Article XIII of the Constitution.

The Legislature of the State of California, at its thirty-third session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety-nine, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section twelve of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 12 The Legislature shall provide for the levy and collection of an annual poll-tax of not less than two dollars on every male inhabitant of this State over twenty-one and under sixty years of age; except paupers, idiots, insane persons, and Indians not taxed. Said tax shall be paid into the State School Fund; *provided*, that every

male who votes at a general election shall be exempt from the payment of such poll-tax for the next ensuing two years.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Wright, and Mr. Speaker—63.

NOES—Messrs. Miller of Los Angeles and Wade—2.

Assembly Constitutional Amendment No. 13 ordered to engrossment.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 19

Resolution to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII of the Constitution.

The Legislature of the State of California, at its thirty-third session, commencing on the second day of January, A. D. eighteen hundred and ninety-nine, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that sections four and five of article thirteen be repealed and that section one of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 1. All property in the State not exempt under the laws of the United States, or this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that property used for free public libraries and free public museums, growing crops, mortgages, trust deeds, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation. The Legislature may provide for a reduction from credits of debts due bona fide residents of this State; *provided further*, that this amendment shall not apply to mortgages and trust deeds executed prior to the date this amendment takes effect.

Section 2. Section four of article thirteen of this Constitution is hereby repealed.

Section 3. Section five of article thirteen of this Constitution is hereby repealed

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Conrey, Cosper, Crowder, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, E. D. Sullivan, Valentine, Wardell, White, Wright, and Mr. Speaker—57.

NOES—Messrs. Boynton, Brown, Cargill, Cobb, Cowan, Devoto, Feliz, Hoey, Le Baron, Lardner, Marvin, Meserve, O'Brien, Rickard, Sanford, Eugene Sullivan, and Wade—17.

Assembly Constitutional Amendment No. 19 ordered to engrossment.

NOTICE OF MOTION TO RECONSIDER.

Mr. Hanley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Constitutional Amendment No. 19 was this day adopted.

Mr. Cowan moved that the Assembly do now consider the special order set for eleven o'clock A. M.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 994—An Act to permit asexualization of the inmates of the State Hospitals and the California Home for the Care and Training of Feeble-Minded Children.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—60.

NOES—Messrs. Burnett, Chynoweth, Feliz, Hoey, Kenneally, Lardner, McKeen, and White—8.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Rickard gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 994 was this day finally passed.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER, }
Saturday, March 4, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Bettman, Boyce, Brauhart, Bulla, Burnett, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper,

Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, March 3, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, March 3, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senator Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Doty, Dwyer, La Rue, Pace, and Sims—5.

For Gavin McNab—Senators Braunhart and Prisk—2.

For James D. Phelan—Senators Hall and Langford—2.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received	7 votes
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	3 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	5 votes.
Gavin McNab received	2 votes.
James D. Phelan received	2 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelsey, Kenneally, Lundquist, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—16.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Marton De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Hanley, Mack, Sanford, Stewart, E. D. Sullivan, and White—7.

For James D. Phelan—Mr. Burnett—1.

For John Rosenfeld—Mr. Crowley—1.

For Gavin McNab—Messrs. Caminetti, Cowan, Feliz, Glenn, Griffin, Hoey, Mead, Meserve, O'Brien, and Wardell—10.

For Jesse R. Grant—Mr. Fairweather—1.

Whole number of votes cast by Assemblymen	73
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	16 votes.
U. S. Grant, Jr., received	18 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	7 votes.
James D. Phelan received	1 vote.
John Rosenfeld received	1 vote.
Gavin McNab received	10 votes.
Jesse R. Grant received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	108
Necessary to a choice	55
W. H. L. Barnes received	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	24 votes.
U. S. Grant, Jr., received	25 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	12 votes.
Gavin McNab received	12 votes.
James D. Phelan received	3 votes.
Jesse R. Grant received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., Senator Cutter moved to adjourn until Monday, March 6, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Monday, March 6, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-two minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker pro tem. Dunlap in the chair.

RESOLUTION.

By Mr. Atherton:

Resolved, That the State Controller is hereby instructed to draw his warrant on the State Treasurer in favor of J. W. Atherton for the sum of \$64 80, being the amount found to be due the Committee on State Prisons and Reformatory Institutions for visit-

ing the Preston School of Industry at Ione, as per report of Committee on Mileage, printed in Assembly Journal, page 3, of February 18, 1899, and the State Treasurer is hereby instructed to pay same out of the Contingent Fund of the Assembly.

Resolution adopted.

LEAVE OF ABSENCE.

Mr. Bliss was granted leave of absence until Monday, on motion of Mr. Belshaw.

Mr. Anderson was granted leave of absence for the day, on motion of Mr. Dibble.

SENATE SPECIAL FILE.

Committee Substitute for Senate Bill No. 227—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Passed on file.

Mr. Kelsey was granted unanimous consent to submit the following amendments, which were ordered printed in the Journal:

AMENDMENT No. 1.

Amend the title by striking out the whole thereof, and inserting in lieu of same the following:

"An Act directing and authorizing an action in interpleader between the people of the State of California and any claimants under a certain Act entitled 'An Act fixing a bounty on coyote scalps,' approved March 31, 1891, and making an appropriation for the payment and satisfaction of any judgment or judgments against the State of California recovered in such action."

AMENDMENT No. 2.

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following:

"SECTION 1. The sum of two hundred and eighty-seven thousand six hundred and fifteen (\$287,615) dollars, or so much thereof as shall be required, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, for the purposes in this Act specified.

"SEC. 2. Within thirty days after taking effect of this Act, the Attorney-General of the State shall file in the Superior Court of the County of Sacramento, State of California, an action of interpleader, in the name of the People of the State of California, as plaintiff, wherein all the claimants against the State under that certain Act entitled 'An Act fixing a bounty on coyote scalps,' approved March 31, 1891, so far as known, who have presented claims in the form of County Clerk's certificates to the State Board of Examiners, or to the Controller of State, and all others known or believed by him to be claimants, shall be impleaded as defendants.

"A sufficient number of copies of the complaint and summons, to answer all the purposes of such action, and all other printing required in such action, or rendered necessary by the provisions of this Act, shall, upon an order of the Attorney-General, be printed and furnished to any party to such action, by the State Printer.

"The issuance of summons shall be withheld in such action for the period of thirty days after the filing of the complaint, during which period written appearances may be entered and filed by attorneys for the respective defendants, who shall notify the Attorney-General of such appearances, and the Attorney-General shall thereupon immediately furnish them with copies of the complaint; *provided*, that any number of claimants may answer jointly.

"Within ten days after having been so furnished with copies of the complaint, the parties so appearing shall answer (except that, for good cause shown, the Court may extend the time for pleading not exceeding ten days in any case); *provided, however*, that defendants so answering may also demur to the complaint, but such demurrers must be filed with the answers.

"In each case, and in every instance, papers to be filed in such action, prior to the entry of final judgment, shall be filed by the County Clerk without costs or fees for either party.

"Appearances may be entered, as of course, at any time prior to the appointment of the referee and stenographer, as hereinafter provided; and new parties may be added, and defaults may be set aside, upon motion and a showing satisfactory to the Court, made either by the Attorney-General, or by the persons seeking to become parties, or asking that their defaults be set aside, upon due notice to the Attorney-General, at any time prior to the filing of the report and findings of the referee, as hereinafter provided; but evidence may only be taken after the time herein limited for the taking of

testimony by the referee at the several county seats, before such referee at the office of the County Clerk, or at a place agreed upon by the Attorney-General, in writing filed in such action.

"At the expiration of thirty days after the filing of such complaint, summons shall issue, directed to the Sheriff of the County of Sacramento, but the same shall not be delivered to him or to any other officer (except to the Attorney-General) until forty days thereafter; and the Attorney-General shall immediately, upon the issuance of the summons, cause to be mailed to the post office address of each defendant whose appearance has not been entered, and whose post office address is known, or which can be ascertained by an inspection of the papers on file in the office of the Controller of State or in the office of the State Board of Examiners, a copy of the complaint and summons, with the postage and return postage fully prepaid; and the Attorney-General shall cause to be printed in plain type on each envelope containing such complaint and summons, the words:

"*To Postmaster* If wrong address, please forward. If address not known, or not delivered, please hold for thirty days, and then return to the office of the Attorney-General of the State of California, at Sacramento, California."

"If, at the expiration of forty days after the issuance and delivery to the Attorney-General of such summons, any defendant or defendants has or have failed to appear, the summons shall then issue and be delivered to the Sheriff of the County of Sacramento, who shall serve and make return in the same manner as in other cases by the Code of Civil Procedure provided; and if he be unable to make service, he shall so state in writing, giving briefly the reasons, if known. Alias summons may issue to the Sheriff of any county in the State, immediately upon request of the Attorney-General, and service and return made as above provided.

"All returns of service of summons shall be made and completed within thirty days after the delivery of the summons to the Sheriff of the County of Sacramento.

"Personal representatives of defendants, or of owners of claims, who have died since acquiring an interest, may be added from time to time as parties defendant, and may be served, or may enter their appearances and plead, within the same time and upon the same terms as above provided for original defendants.

"SEC. 3. As to all defendants not found or not appearing, upon compliance with the above provisions relating to appearance and service of summons, service by publication may be ordered, and shall be made in a newspaper of general circulation, published in the County of Sacramento, as designated by the Court. Such publication shall be ordered and made upon the same showing by the Attorney-General on behalf of the people of the State of California, and in the same manner as provided by the Code of Civil Procedure in other cases, except as herein otherwise provided. Except as otherwise provided in this Act such action shall be conducted and governed by the usual rules of procedure and principles of decision in actions of interpleader.

"SEC. 4. When all the issues in such action are made up, and the defaults (if any) of all defendants who have been actually or constructively served, and who have failed to appear, or who, having appeared, have failed to plead, have been duly entered, the Court shall then appoint some competent person as referee, and a competent stenographer to act with and assist such referee.

"The referee shall, during the first six months immediately following the date of his appointment as such referee, visit each and every county in the State in which (as may be indicated by the papers or records on file in the offices of the Controller of State and the State Board of Examiners) claimants to the number of one hundred or more may reside, and shall at the county seat of each and every county so visited, and in the office of the County Clerk thereof, examine witnesses under oath, and shall take all such relevant, competent, and material testimony as shall be offered in support of the allegations contained in the pleadings in such action.

"The referee shall give the defendants due and timely notice of the time and place for taking of testimony in the respective counties, and of the duration of his visit, which notice shall be mailed at least five days preceding the first day of his attendance at the particular county seat of each defendant's address. He shall, in like manner, notify defendants residing in counties not to be visited, of the time, place, and duration of his visit to the county seat nearest to their respective addresses.

"The parties to such action shall at all times be permitted to appear before such referee, either in person or by counsel.

"The stenographer so appointed shall accompany the referee, and he shall take down and properly transcribe the testimony, making two copies thereof, which he shall deliver to the referee.

"Not less than three nor more than ten days shall be spent at each county seat so visited by such referee and such stenographer, and they shall each day of their stay be present in the office of the County Clerk between the hours of nine o'clock A. M. and five o'clock P. M. for the purpose of performing their duties as aforesaid; *provided*, that, for good cause shown, the Court may extend the time at any county seat for a period of not more than five days.

"Such referee may withdraw, and he shall be permitted to withdraw, from time to time, for the purposes of such action, from the respective offices of the Controller of State and of the State Board of Examiners, such of the County Clerk's certificates to claims under the said Act of March 31, 1891, and all other papers filed in connection therewith, as may be required in the performance of his duties, he to give his receipt therefor.

"When not actually engaged in taking evidence at county seats, other than at Sacramento, or when traveling for that purpose, such referee and such stenographer shall, between the hours 9:30 o'clock A. M. and 4 o'clock P. M. of each and every day (Sundays and holidays excepted), unless prevented by physical inability or other unavoidable cause, be present for the performance of their duties at the office of the County Clerk of the County of Sacramento, or at such other place at the county seat of Sacramento County as the Attorney-General may agree upon in writing filed in said action.

"Within sixty days after the time hereinbefore limited for the taking of testimony, the referee shall complete and file his report and findings in such action, together with a transcript of the testimony taken, and he shall deliver to the County Clerk of the County of Sacramento all papers and documentary evidence in his possession pertaining to such action, taking the said Clerk's receipt therefor, and he shall on the same day deliver at the office of the Attorney-General, in the Capitol at Sacramento, a copy of such report, findings, and transcript; and both of such copies shall at all times be accessible to the public, and any of the parties to such action may make a copy or copies of the same, or of any part thereof.

"Upon the filing of such report, findings, and transcript, if the Court shall approve the same (and if not, when corrected and approved), judgment shall immediately be entered.

"Any party may move to vacate the judgment, or to modify the judgment, or for the entry of a different judgment, or for a new trial, and may appeal from such judgment, and from any order made in such action, as in other cases provided.

"Such reference shall continue, and such referee and stenographer, or their successors, shall be retained until all motions after judgment have been disposed of, and they shall perform all such duties as may be required of them by the Court.

"SEC. 5. The referee and the stenographer shall each be allowed by the Court compensation not to exceed the sum of three hundred dollars per month, and all actual expenses by them incurred, as evidenced by proper vouchers; and, upon orders by the Court, made from time to time, such compensation and expenses, and all costs of such action, shall be paid to the persons entitled to receive the same, out of the amount appropriated by this Act, and warrants therefor shall be drawn by the Controller of State, and the same shall be paid by the State Treasurer.

"In case of the death, or in case of the refusal or inability to act, of such referee and stenographer, or of either of them, the Court shall appoint another or others to succeed each or both of them; and the Court may, for good cause shown, summarily remove them, or either of them, and appoint others in their place and stead.

"SEC. 6. The Attorney-General shall, within ten days after the entry of judgment in such action, cause a certified copy thereof to be filed with the Controller of State, and thereafter, if no appeal has been taken by the State, upon application of the parties in whose favor such judgment was rendered, where no appeal has been taken from the particular portion in favor of the particular party or parties defendant so applying, or upon the application of their attorneys of record in such action, warrants shall be drawn for one half of their and of each of their proportional share and interest in such judgment, less their or his proportionate share of the total of the costs and expenses incurred in such action; and upon like application made during the following fiscal year, warrants shall be drawn and paid, in like manner, for the balance due upon such judgment.

"The costs and expenses of such action shall be borne by the defendants in proportion to the amounts their respective interests bear to the entire judgment; and the same shall be ascertained by the Court, and provided for in the judgment.

"SEC. 7 This Act shall take effect immediately."

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

On motion of Mr. Valentine, referred to Committee on Ways and Means, and to retain place on file.

Senate Bill No. 215—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read second time.

Senate Bill No. 324—An Act appropriating ten thousand dollars (\$10,000) to pay the claim of Addie McGinness.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with Speaker pro tem. Dunlap in the chair, for the purpose of considering Senate Bills Nos. 215 and 324.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 215 and 324 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 215—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Also: Senate Bill No. 324—An Act appropriating \$5,000 to pay the claim of Addie McGinness.

And do now report, and recommend that the same do pass

DUNLAP, Chairman.

Report adopted.

Senate Bill No. 215 ordered to third reading.

Senate Bill No. 324—An Act appropriating \$5,000 to pay the claim of Addie McGinness.

Mr. Valentine moved to amend as follows:

Amend by striking out of Section 4, lines 1 and 2, the words "from and after its passage," and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Senate Bill No. 324 ordered to print and third reading.

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Referred to Committee on Ways and Means.

Senate Bill No. 440 (Substituted for Assembly Bill No. 947)—An Act to repeal the whole of Title XV of Part IV of Division III of the Civil Code of the State of California, embracing Sections 3086 to 3262 of said Code, both inclusive, relating to negotiable instruments, and enacting in place thereof a new title, to be known as Title XV of Part IV of Division III of the Civil Code of the State of California, with new provisions in relation to negotiable instruments.

Read second time, and ordered to third reading.

CORRECTION OF JOURNAL.

Mr. Rickard moved to correct the Journal of March 3, 1899, as follows:

At the bottom of page 19, strike out after the first paragraph of the report of the Committee on Engrossment and Enrollment, down to Assembly Concurrent Resolution No. 16 on page 20, and insert the following:

"Assembly Bill No. 247—An Act prohibiting the payment of money by the State to counties for the collection of taxes.

"Assembly Bill No. 326—An Act making an appropriation for improving, enlarging, and equipping the State fish hatcheries at Sisson and Price Creek.

"Assembly Bill No. 465—An Act to amend Section 1702 of the Code of Civil Procedure of the State of California, relating to the appointment of trustees."

Motion carried, and it was so ordered.

At two o'clock and thirty-five minutes P. M., Speaker pro tem. Dunlap called Mr. Dibble to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 446—An Act to provide a system of drainage for agricultural swamp and overflowed lands.

Mr. Knights moved that the enacting clause be stricken from the bill. Motion carried, and it was so ordered.

Senate Bill No. 80—An Act to add a new section to the Civil Code of the State of California, to be numbered 3443.

Read second time, and ordered to third reading.

Senate Bill No. 68—An Act to amend Section 2 and Section 38 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, concerning changes in the grade of streets.

Read second time, and ordered to third reading.

Senate Bill No. 206—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Passed on file.

At two o'clock and forty minutes p. m., Speaker pro tem. Dunlap resumed the chair.

Senate Bill No. 695 (Substituted for Assembly Bill No. 360)—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Read second time, and ordered to third reading.

Senate Bill No. 9—An Act to amend an Act in relation to foreign corporations, approved April 1, 1872.

Read second time.

The following committee amendment was submitted:

Amend by adding the following to Section 2: "*Provided, nevertheless, that any corporation which shall have complied with the requirements of section one of the Act of which this is amendatory shall not be required to make or file any further designation of the person upon whom process may be served, but such former designation shall be deemed, and taken to be, a full compliance with the requirements of this Act; provided further, however, that if any such corporation shall withdraw such designation heretofore made, or if the person designated shall die, or remove from the State, then, and in that case, such corporation shall within forty days after such withdrawal make a new designation or be subject to the provisions and penalties of this Act*"

Amendment adopted.

Senate Bill No. 9 ordered to print and third reading.

Senate Bill No. 27 (Substituted for Assembly Bill No. 732)—An Act amending the Civil Code of the State of California, adding thereto three new sections, to be numbered 494, 495, and 496, authorizing the purchase or lease by railroad corporations created under the laws of this State, or of any other State or Territory, or of the United States, which are now, or hereafter may be doing business as common carriers in this State, of any or all of the property and franchises owned, situated, held, or used wholly or partially in this State by any railroad company created under the laws of this State, or of any other State or Territory, or of the United States, which is now, or hereafter may be, doing business as a common carrier in this State, and authorizing the sale or lease by any such corporation, as above mentioned, of any such property, or franchises, or both, which it may own, use, or hold, wholly or partially, in this State.

Read second time.

Mr. Caminetti moved that the bill be referred to Committee on Judiciary, and retain place on file.

So ordered.

Senate Joint Resolution No. 19—A resolution as to making upon the Island of Molokai a leper hospital, for the care of all lepers within the United States.

Mr. Rickard moved to amend as follows:

Strike out the word "Governor" and insert the following: "Secretary of the Senate."

Amendment adopted.

Ordered to print, and to retain place on file.

Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read second time, and ordered to third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 945 and 754.

Assembly Bill No. 945—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Assembly Bill No. 754—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year.

RICKARD, Chairman.

Assembly Bills Nos. 945 and 754 ordered on third-reading file.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Pending final passage, Mr. Mead moved to refer Senate Bill No. 177 to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause and insert as follows:

"SECTION 1. A new section is hereby added to the Civil Code of California, to be known as section four hundred and thirty-three thereof, to read as follows:

"Section 433. On and after the first day of September, eighteen hundred and ninety-nine, no fire insurance company, corporation or association, its officers or agents, shall make, issue, or use, or deliver for use, any fire insurance policy on property in this State, except warehouse and growing grain policies, other than shall conform, in all particulars, as to blanks, size of type, context, provisions, agreements, and conditions with the printed forms of contract or policy to be filed in the office of the Insurance Commissioner, as provided in four hundred and thirty-four of the Civil Code, and no other or different provision, condition, agreement, or clause, shall in any manner be made a part of said contract or policy, or be indorsed thereon, or delivered therewith, except as follows, to wit:

"1. The name of the company, its location or place of business, the date of its incorporation or organization, and the State or country under which the same is organized; the amount of paid-up capital stock, whether it is a stock or mutual company, the names of its officers, the number and date of the policy; and if it be issued through a manager or agent of the company, the words, 'This policy shall not be valid until countersigned by the duly authorized manager or agent of the company at —,' may be printed on policies issued on property in this State.

"2. Printed or written forms of description and specification or schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts and conditions of insurance on any particular risk (which facts or conditions shall in no case be inconsistent with, or a waiver of, any of the provisions of

conditions of the standard policy provided for herein), may be written upon or attached or appended to any policy issued on property in this State.

"*Provided*, that a provision may be attached to a policy making loss, if any, payable to a mortgagee or trustee, as his interest may appear, and such provision may contain a waiver of certain conditions of the policy so far as they affect the interest of such mortgagee or trustee.

"3. A company, corporation, or association, organized or incorporated under and in pursuance of the laws of this State, or elsewhere, if entitled to do business in this State, may, with the approval of the Insurance Commissioner, if the same is not already included in the standard form to be filed in the office of said commissioner, as provided for herein, print on its policies any provision which it is required, by law, to insert therein, if such provision is not in conflict with the laws of this State, or of the United States, or of the provisions of the standard form provided herein; but said provision or provisions shall be printed apart from the other provisions, agreements, or conditions of the policy, and in type not smaller than the body of the policy, and under a separate title, as follows: 'Provisions required by law to be stated in this policy,' and be a part of said policy.

"4. There may be indorsed on the outside of any policy herein provided for, the name, with the word 'agent' or 'agents,' and place of business of any insurance agent or agents, either by writing, printing, stamping, or otherwise.

"5. Where two or more companies, each entitled to do business in this State, unite to issue a joint policy, there may be expressed in the heading of such policy the fact of the severality of the contract; also, the proportion of premium to be paid to each company, and the proportion of liability which each company agrees to assume, and in the printed conditions of such policy, the necessary change may be made from the singular to the plural number, when reference is had to the company issuing such policy.

"*Provided*, that any policy made, issued or delivered, not in conformity with this section, shall nevertheless be binding upon the company issuing the same, and such company shall thereafter be disqualified from doing any insurance business in this State.

"Sec. 2. A new section is hereby added to the Civil Code, to be known as section four hundred and thirty-four, to read as follows:

"Section 434. The Insurance Commissioner shall prepare and file in his office, on or before the first of June, eighteen hundred and ninety-nine, a printed form, in blank, of a contract or policy of fire insurance, together with such agreement, provisions, or conditions, as may be indorsed thereon, or added thereto, and form a part of such contract or policy; and such form when so filed shall be known and designated as the 'California standard fire insurance policy,' and such form shall, as near as can be made applicable, conform to the New York standard fire insurance policy, so called and known. Immediately after filing said form of policy in the office of said Insurance Commissioner, he shall have five hundred copies of the same printed, and mail a copy of the same to each company doing a fire insurance business in this State."

Also: Amend the title to read as follows: "Add two new sections to the Civil Code, to be known as Sections 433 and 434 thereof, relating to the form of fire insurance policies."

Motion carried, and it was ordered.

Mr. Mead was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MEAD, Committee.

Report adopted.

Senate Bill No. 177 ordered to print and final passage.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Mr. Dibble moved the previous question on the passage of the bill.

So ordered.

Ordered on unfinished business file.

Mr. Johnson, at request of Mr. Barry, moved to reconsider the vote whereby Assembly Bill No. 654 was on yesterday refused final passage.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Brown, Cargill, Chynoweth, Clark, Cosper, Crowley, Dibble, Dunlap, Fairweather, Glenn, Griffin,

Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Rickard, Stewart, Eugene Sullivan, White, and Works—49.
Noes—Messrs. Clough, Conrey, Dale, Feliz, Milice, Miller of Los Angeles, Sanford, and Wade—8.

Assembly Bill No. 654 ordered on unfinished business file.

MOTION.

Mr. Cosper moved that the rules be suspended, and that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the counties from which they are formed.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 638 (Substitute for Assembly Bills Nos 297 and 298)—An Act to amend Sections 1770, 1771, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Read second time.

Mr. Wade moved that the proposed amendments be printed in the Journal.

Motion lost.

Mr. Wardell moved that the consideration of Assembly Bill No. 638 be indefinitely postponed.

The ayes and noes were demanded by Messrs. Johnson, Conrey, and Knights.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Clark, Cobb, Dibble, Fairweather, Griffin, Henry, Hoey, Huber, Kelley, Kelsey, Kenneally, McKeen, Merrill, O'Brien, Pierce, Rickard, Eugene Sullivan, Wade, and Wardell—22.

NOES—Messrs. Barry, Belshaw, Blood, Boone, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dunlap, Feliz, Glenn, Hanley, Jilson, Johnson, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Tuolumne, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raw, Robinson, Sanford, White, and Works—39.

The following amendment was submitted by Mr. Cosper:

AMENDMENT No. 1.

Amend by inserting the enacting clause, as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Amendment adopted.

The following amendments were submitted by Mr. Conrey:

AMENDMENT No. 2.

Amend by striking out all of Sections 2, 3, and 4 of said bill (being the whole of said bill to and including line 11 of Section 4), on page 5 of printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend Section 5 by striking out the figure "5," on page 5, in line 1, printed bill, and inserting in lieu thereof the figure "2."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 6 in line 1 of Section 6, page 5, printed bill, by striking out the figure "6" and inserting in lieu thereof the figure "3."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the word "as" at the end of line 13, on page 5, printed bill, and inserting in lieu thereof the words "with or furnishing scholarship and pedagogical training equivalent to that of."

Amendment adopted.

AMENDMENT No. 6.

Amend in line 25, page 6, printed bill, by striking out the words "elementary school" and inserting the words "grammar grade."

Amendment adopted.

AMENDMENT No. 7.

Amend in line 26, page 6, printed bill, by striking out the words "elementary school certificates or."

Amendment adopted.

AMENDMENT No. 8.

Amend in line 47, page 6, printed bill, by changing the period to a comma, and by adding after the word "university" the following: "and to the holders of diplomas of graduation from any other educational institution in the State of California, which the State Board of Education shall have recommended as an institution that furnishes academic and pedagogical training equivalent to that required by the University of California; *provided*, that such graduates shall have completed the full course in pedagogy, and shall have been recommended by the faculty of such institution."

Amendment adopted.

AMENDMENT No. 9.

Amend in line 52, page 6, printed bill, by inserting after the word "county" the words "city, or city and county."

Amendment adopted.

AMENDMENT No. 10.

Amend in line 54, page 6, printed bill, by striking out the words "an elementary" and inserting in lieu thereof the words "a primary, grammar grade."

Amendment adopted.

AMENDMENT No. 11.

Amend by striking out all of that portion of Section 6, pages 6 and 7, printed bill, beginning with the beginning of line 61, and ending with the ending of line 92, page 7, printed bill, and inserting in lieu thereof:

"Second—Whenever any holder of a diploma from the State University shall present to the State Board of Education satisfactory evidence of having had two years' successful experience as a teacher subsequent to graduation, accompanied by a recommendation from the Faculty of the State University, showing that said graduate has completed the prescribed course in the Pedagogical Department of the State University, the State Board of Education shall grant to the holder of said University diploma a document signed by the President and Secretary of the State Board of Education showing such fact; and the said diploma, accompanied by said document of the State Board attached thereto, shall become a permanent certificate of qualification to teach in any primary, grammar, or high school in the State, valid until such time as the said document shall be revoked by said State Board of Education, for any of the causes shown in subdivision four of section one thousand seven hundred and ninety-one.

"Third—The board may, without examination, renew unexpired certificates previously granted by said board; such renewed certificates to remain valid for the same length of time for which new certificates may be granted; and the grammar grade and primary certificates issued or renewed by the County Board of Education shall entitle the holders thereof to teach in any city or district school in the county, in grades corresponding to the grades of their certificates; *provided*, that in cities having special departments in their schools, holders of credentials mentioned above may be examined by the City Board of Examination in the special studies of such departments. County Boards of Education may issue, upon proper examination or credentials, special certifi-

cates in any special branches taught in the schools of the county. All certificates must be issued upon the blank forms prepared for the purpose by the Superintendent of Public Instruction."

Amendment adopted.

AMENDMENT No. 12.

Amend in line 1, page 7, printed bill, by striking out the figure "7" and inserting in lieu thereof the figure "4."

Amendment adopted.

AMENDMENT No. 13.

Amend by striking out all of Section 8 of the printed bill, beginning with line 1 on page 8, and ending with line 34 on page 9 of the printed bill.

Amendment adopted.

AMENDMENT No. 14.

Amend by striking out from the first line of the title of said Act the numbers "1771," "1772," "1773," and "1791," and by striking out the word "and" in said first line of the title where it occurs after the number "1790," and by inserting the word "and" before the number "1790" in said line.

Amendment adopted.

Assembly Bill No. 638 ordered to print, engrossment, and third reading.

Assembly Bill No. 639 (Substitute for Assembly Bill No. 295)—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1599, 1600, 1615, 1617, 1621, 1622, 1623, 1650, 1663, 1667, 1677, 1674, 1713, 1714, 1768, 1830, 1858, 1874, 1875, and 1882 of the Political Code of the State of California, and to add one new section to said Code, to be known as Section 1674, relating to public schools.

Passed on file.

Assembly Bill No. 356—An Act for the protection and propagation of shrimps.

Passed on file.

Assembly Bill No. 111—An Act to provide for the payment of interest at the statutory rate to every bona fide owner and holder of any unlocated or uncanceled school warrant issued under the Act of the State of California approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and to each and every person having owned and canceled any such warrant or warrants under the Act of March 23, 1893.

Withdrawn by author.

Assembly Bill No. 269—An Act to amend Section 2 of an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895.

Passed on file.

Assembly Bill No. 372—An Act to amend an Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the per-

sons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895

Passed on file.

Assembly Bill No. 153—An Act fixing and defining a miner's inch of water.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 35—An Act to create the harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger or other employe of the board a statement of the quantity of the merchandise intended to be discharged; and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Stricken from file, being identical with Senate Bill No. 22.

Assembly Bill No. 419—An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes, through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies.

Passed on file.

Assembly Bill No. 496—An Act to amend Section 1368 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Read second time.

The following committee amendment was submitted:

Amend by inserting after the word "hours," in line 4, Section 1, page 1, printed bill, the following: "without contributory negligence on his part."

Amendment adopted.

Assembly Bill No. 237 ordered to print, engrossment, and third reading.

Assembly Bill No. 658—An Act to prevent the use of paranzella or drag-net in the waters of this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 502—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 518—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 514—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Withdrawn by author.

Assembly Bill No. 556—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the State of California," approved March 11, 1891.

Passed on file.

Assembly Bill No. 312—An Act to amend Section 3107 of the Political Code, relating to the laying out and dedicating of cemeteries on public lands.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 580—An Act relating to the storage of gunpowder, giant powder, or other combustible material.

Passed on file.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 28 of said Act, relating to and providing for county charges.

Passed on file.

Assembly Bill No. 186—An Act relating to the compensation of County Recorders in counties where their compensation is fees only, instead of salary.

Passed on file.

Assembly Bill No. 219—An Act to amend an Act entitled "An Act to authorize the Board of Supervisors or other governing authorities of the several counties, cities and counties, cities, and towns of the State to provide pensions or benefits for the relief of aged, infirm, or disabled firemen," approved March 11, 1889.

Passed on file.

Assembly Bill No. 724—An Act to amend Section 2587 of the Civil Code of the State of California, relative to the contents of an insurance policy.

Passed on file.

Assembly Bill No. 689—An Act entitled "An Act to protect the pheasant, or bob-white, and vesting powers in the Boards of Supervisors of the several counties to establish an open season, and providing for the punishment of any violation of this Act."

Passed on file.

Assembly Bill No. 263—An Act authorizing the location and sale of mining claims upon the public lands of this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 355—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893, amended March 17, 1897, by amending Section 1 thereof, and adding a new section thereto, relating to Débris Commissioner and his duties.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "its passage," in line 2, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "The expiration of the term for which the present incumbent was appointed."

Amendment adopted.

Assembly Bill No. 355 ordered to print, engrossment, and third reading.

Mr. Johnson moved that the Assembly return to Assembly Bill No. 269 (229 on file) and Assembly Bill No. 372 (230 on file).

So ordered.

Assembly Bill No. 269—An Act to amend Section 2 of an Act entitled "An Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Court Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the counties from which their children are committed," approved March 26, 1895.

Passed on file.

Assembly Bill No. 372—An Act to amend an Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act" where they first occur in the bill and inserting the following:

"An Act to amend an Act relating to commitment to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895, by amending Section 1 thereof, and repealing Sections 2, 3, and 4 thereof."

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"Section 1 of said Act is hereby amended to read as follows:

"Section 1. A Judge of the Superior Court of any county, or city and county, and no

other judicial officer, shall have power to examine or commit any offender either to the Whittier State School or to the Preston School of Industry; *provided*, that the Judge before whom such examination is held shall determine whether or not the parent or guardian of any minor committed as the result of such examination, or of any proceeding pending before such Judge, to either of said schools is able to pay to the county, or city and county, in which the commitment is made, for the maintenance of such minor during the term of such commitment; and when such Judge shall determine that such parent or guardian has the ability to pay for such maintenance the parent or guardian shall pay into the treasury of such county, or city and county, the sum of eleven dollars per month in advance. In case of the failure to pay the same as herein provided, it shall be the duty of the District Attorney to proceed to collect the amount from such parent or guardian, in the manner other indebtedness to a county, or city and county, is collected. It is hereby made the duty of the Clerk of the Superior Court in which a commitment is made to certify to the Auditor of the county, or city and county, the name, age, and date of commitment of each person committed to either of the schools mentioned in section one of this Act, and such Auditor shall, on the first day of May and December of each year, file with the Treasurer of the county, or city and county, a statement of the amount collected by and due from the county, or city and county, to the State by reason of commitments to either of said schools; and it is hereby made the duty of such Treasurer, at his settlement with the State, to pay to the State Treasurer, through the State Controller, the amount collected by reason of such commitment to either of such schools.

"Sec. 2. All Acts or parts of Acts in conflict with this Act are hereby repealed.

"Sec. 3. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 372 ordered to print, engrossment, and third reading.

Assembly Bill No. 896—An Act to repeal an Act entitled "An Act to encourage and provide for general vaccination in the State of California," approved February 20, 1889.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 788—An Act to repeal an Act to promote the horticultural interests of the State, by providing County Boards of Horticulture, and repealing the Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891; said Act approved March 31, 1897. (Statutes of 1897, Chapter CCXXXIII.)

Passed on file.

Mr. Belshaw moved that the rules be suspended, and that Assembly Bill No. 780 (213 on file) be made special order for Monday.

Motion lost.

Assembly Bill No. 851—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and describing the duties of such assistants," approved March 23, 1893.

Read second time.

Mr. Melick moved to amend as follows:

Amend by striking out of Section 1, line 4, the words "one hundred," and inserting the words "one hundred and fifty."

Amendment adopted.

Assembly Bill No. 851 ordered to print, engrossment, and third reading.

Assembly Bill No. 311—An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Zeigler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased; Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pur-

suance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Read third time, ordered to engrossment and third reading.

Assembly Bill No. 967—An Act to prevent the sale of more than one line of merchandise under one roof, known as "department stores," in any municipal corporation.

Passed on file.

Assembly Bill No. 964—An Act to provide for the redemption of lands sold for delinquent assessments for public work in municipalities, and to define the rights and duties of purchasers and delinquent property owners in such cases.

Passed on file.

Assembly Bill No. 942—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known as and numbered 308, relating to the printing of legislative bills.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 708—An Act authorizing and empowering the Board of State Capitol Commissioners to appoint six additional laborers for the Capitol grounds, in addition to the number now allowed by law, and fixing the compensation of such additional employes.

Passed on file.

Assembly Bill No. 50—An Act to amend Section 161 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read second time.

The following committee amendment was submitted:

Amend by striking out all after the enacting clause and inserting as follows:

"SECTION 1. Section one hundred and sixty-one of the Penal Code is hereby amended to read as follows:

"Section 161. Every attorney and every person engaged in the business of a collector who, either directly or indirectly, buys or is interested in buying any evidence of debt or thing in action, with intent to bring suit thereon, is guilty of misdemeanor."

Amendment adopted.

Assembly Bill No. 50 ordered to print, engrossment, and third reading.

Assembly Bill No. 535—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 327—An Act to amend Sections 1797 and 1798 of the Code of Civil Procedure of the State of California, relating to guardians and wards.

Read second time, ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 949—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WADE, Chairman.

Assembly Bill No. 949 ordered on second-reading file.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 987—An Act to amend Section 11 of an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 979—An Act to prohibit treating, and providing a penalty therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 649—An Act to amend subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 962—An Act requiring packers of canned goods to stamp in the tin of one end of each can containing any article of food the year that such contents were canned, and fixing a penalty for violation thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 952—An Act to provide for the appointment of a State Quarantine Officer, etc.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 810—An Act to establish uniform rates to be charged for telephone instruments and telephone service in this State, and declaring a penalty for the violation of the provisions thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 960—An Act regulating rates of passenger transportation within the State of California, and providing a penalty for the violation thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 961—An Act to regulate the operation of sleeping-cars within the State of California, and providing a penalty for the violation thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 631—An Act to prohibit the collection of deposits or payments by gas companies, corporations, or persons supplying gas, as a condition to the supplying of gas, and providing a penalty therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 1000 (Substitute for Assembly Bill No. 363)—An Act to establish a uniform system of county and township governments. Passed on file.

Assembly Bill No. 363—An Act to establish a uniform system of county and township governments.

Ordered stricken from the file.

Assembly Bill No. 299—An Act to amend Sections 1 and 3 of an Act entitled "An Act for the protection of children and to prevent and punish wrongs of children," approved March 29, 1878.

Passed on file.

Assembly Bill No. 133—An Act to amend Section 1918 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872,

relating to the legal rate of interest to be charged in the State of California, and providing a penalty for the charging of an illegal rate.

Withdrawn by author.

Assembly Bill No. 178—An Act to enable railroad companies to complete their railroads, and authorizing construction of railroads.

Mr. Brown moved that Assembly Bill No. 178 (274 on file) and Assembly Bill No. 905 (457 on file) be transposed on the file.

So ordered.

Assembly Bill No. 905—An Act making an appropriation for the purpose of sinking an oil well, or wells, on the grounds of the Agnews State Hospital.

Read second time.

Mr. Brown moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 905.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 905 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 905—An Act making an appropriation for the purpose of sinking an oil well, or wells, on the grounds of the Agnews State Hospital—and do now report the same with amendments, and recommend that the same do pass as amended.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 905—An Act appropriating money for the purpose of sinking an oil well, or wells, on the grounds of the Agnews State Hospital.

The following amendments were submitted:

By the committee:

AMENDMENT No. 1.

Amend by striking out the word "twenty" from line 1 of Section 1, printed bill, and inserting in lieu thereof the word "ten," and strike out the figures "\$20,000," in the same line.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of Section 1 after the word "hospital," printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words "from and after its passage," in line 1, Section 4, printed bill, and inserting in lieu thereof the words "January first, nineteen hundred."

Amendment adopted.

By Mr. Clark:

Amend by striking out of Section 1, line 3, the words "an oil" and inserting the words "a gas" in lieu thereof.

Amendment adopted.

Also:

Amend the title by striking out of line 1 the words "an oil" and inserting the words "a gas" in lieu thereof.

Amendment adopted.

Assembly Bill No. 905 ordered to print, engrossment, and third reading.

Assembly Bill No. 448—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance of horses, except within the racetrack, inclosure, or fair grounds wherein such trial or contest shall be had and occur, and to provide a punishment therefor.

Withdrawn by author.

Assembly Bill No. 978—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 310½, relating to a penalty for smoking cigarettes in any building, wharf, or other structure belonging to any city, county, city and county, or municipality, or to State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 197—An Act authorizing the Board of Trustees of the State Normal School at Chico to construct and furnish an addition to the State Normal School building at said place, and appropriating money therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 386—An Act to add a new section to the Civil Code of the State of California, to be known and designated as Section 2973, relating to the sale of personal property when the title thereof is reserved in the vendor until it is paid for.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 941—An Act to amend Section 165 of the Penal Code.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 908—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 99—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to foreclosure and sale of mortgaged lands.

Read second time.

The following committee amendment was submitted:

Amend by striking out all after the word "and," in line 4, Section 2, page 2, printed bill, and inserting in lieu thereof the words "the Sheriff for making such sale shall be allowed the sum of ten (10) dollars as expenses, one half of said sum shall be retained by the Sheriff to his use, and the other half shall be paid into the Salary Fund of the county."

Amendment adopted.

Assembly Bill No. 99 ordered to print, engrossment, and third reading.

Assembly Bill No. 209—An Act to amend Section 1299 of the Code of Civil Procedure of the State of California, relating to petitions for probate of will.

Read second time.

The following committee amendment was submitted:

Amend by inserting the word and figures "Section 1299" at the beginning of line 4, Section 1, page 1, printed bill.

Amendment adopted.

Assembly Bill No. 209 ordered to print, engrossment, and third reading.

Assembly Bill No. 210—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to proceedings on production of foreign will.

Read second time.

The following committee amendment was submitted:

Amend by inserting the words and figures "Section 1323" at the beginning of line 4, Section 1, page 1 of printed bill.

Amendment adopted.

Assembly Bill No. 210 ordered to print, engrossment, and third reading.

Assembly Bill No. 467—An Act to amend Section 1324 of the Code of Civil Procedure, relating to hearing proofs of probate of foreign will.
Read second time.

The following committee amendment was submitted:

Amend by inserting the word and figures "Section 1324" at the beginning of line 4, Section 1, page 1 of printed bill.

Amendment adopted.

Assembly Bill No. 467 ordered to print, engrossment, and third reading.

Assembly Bill No. 233—An Act to amend Section 792 of the Political Code of the State of California, relating to notaries public.

Mr. Works moved that Assembly Bill No. 233 (285 on file) and Assembly Bill No. 193 (447 on file) be transposed on file.

So ordered.

Assembly Bill No. 193—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights; to extend and protect the present water system; to provide for water storage for fire emergency and other purposes; to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Mr. Cowan moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 193.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 193 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 193—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights; to extend and protect the present water system; to provide for water storage for fire emergency and other purposes; to appropriate money therefor, and to authorize the expenditure of the same—and do now report the same with amendments, and recommend that the same do pass as amended.

DIBBLE, Chairman.

Report adopted.

Assembly Bill No. 193—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights; to extend and protect the

present water system; to provide for water storage for fire emergency and other purposes; to appropriate money therefor, and to authorize the expenditure of the same.

The following committee amendment was submitted:

Amend title by striking out the comma after the word "rights," at end of line 5 of title, page 1, printed bill, and inserting after the word "rights" the following: "and lands controlling the same."

Amendment adopted.

By Mr. Cowan:

Amend by striking out the word "five," in line 3.

Amendment adopted.

Assembly Bill No. 193 ordered to print, engrossment, and third reading.

Assembly Bill No. 680—An Act to amend Sections 537, 538, and 539 of the Code of Civil Procedure, relating to attachments.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 394—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Passed on file.

Assembly Bill No. 867—An Act adding a new section to the Penal Code, to be known as Section 402, in relation to the running at large of hogs.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 381—An Act regulating fraternal beneficiary corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 970—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan," etc.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 825—An Act to provide for the organization and management of livestock insurance companies.

Read second time.

The following committee amendment was submitted:

Amend by inserting after the word "incorporate," line 2, Section 2, page 1, printed bill, the following: "with a capital stock fully paid up of not less than \$50,000."

Amendment adopted.

Assembly Bill No. 825 ordered to print, engrossment, and third reading.

Assembly Bill No. 532—An Act to amend an Act entitled "An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof," approved March 29, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 916—An Act to amend an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, direction and maintenance within the State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, granting additional powers to the founders and trustees of such institutions, and to add a new section thereto.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 591—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 430—An Act to provide for the establishment and maintenance of public libraries.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Johnson moved that the rules be suspended, and the Assembly do now take up for consideration the Ways and Means appropriation bills file.

So ordered.

UNFINISHED BUSINESS ON FILE OF WAYS AND MEANS APPROPRIATION BILLS.

Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water sprinkling and pumping plant in the Yosemite Valley.

Read second time.

Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen of such veteran volunteer firemen.

Read second time.

Assembly Bill No. 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln in Golden Gate Park, in the City and County of San Francisco.

Read second time.

Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinneys, along the western shore of Lake Tahoe, and making an appropriation therefor.

Read second time.

Mr. Johnson withdrew Assembly Bill No. 238 (378 on file), and substituted Assembly Bill No. 741 by unanimous consent.

Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State."

Read second time.

Assembly Bill No. 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor.

Read second time.

Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

Read second time.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of J. W. Sibole.

Read second time.

Assembly Bill No. 344—An Act to pay the claim of J. E. Atkinson against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Pliesch, for money due and owing to said Theodore Pliesch from the State of California.

Read second time.

Assembly Bill No. 494—An Act to pay the claim of G. H. Smith for services rendered as Porter in the Assembly at the thirty-second session of the Legislature.

Read second time.

Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Read second time.

Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Read second time.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Read second time.

Assembly Bill No. 661—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of school lands.

Read second time.

Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin, for advertising constitutional amendments for the year 1896.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bills Nos. 630, 449, 561, 417, 741, 199, 345, 242, 344, 642, 494, 693, 694, 248, 661, and 94.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 630, 449, 561, 417, 741, 199, 345, 242, 344, 642, 494, 693, 694, 248, 661, and 94 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water sprinkling and pumping plant in the Yosemite Valley.

Also: Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen of such veteran volunteer firemen.

And do now report the same back, with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln in Golden Gate Park, in the City and County of San Francisco—and do now report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinneys, along the western shore of Lake Tahoe, and making an appropriation therefor—and do now report back, and recommend that the same do pass as amended.

Also: Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State"—and do now report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor.

Also: Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Kisler for attempted highway robbery.

Also: Assembly Bill No. 242—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Assembly Bill No. 846—An Act to pay the claim of J. E. Atkinson against the State of California, and making an appropriation therefor.

And do now report Assembly Bills Nos. 345, 242, and 846 back, with amendments, and recommend that they pass as amended, and that Assembly Bill No. 199 do pass.

Also: Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Pliesch, for money due and owing to said Theodore Pliesch from the State of California.

Also: Assembly Bill No. 494—An Act to pay the claim of G. H. Smith, for services rendered as Porter in the Assembly at the thirty-second session of the Legislature.

And do now report the same back, and recommend that they do pass as amended, except that Assembly Bill No. 642 do pass.

Also: Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Also: Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Also: Assembly Bill No. 661—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Also: Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

And do now report the same back, and recommend that Assembly Bills Nos. 693, 248, and 94 do pass, and that Assembly Bills Nos. 694 and 661 do pass as amended.

DIBBLE, Chairman.

Report adopted.

Assembly Bills Nos. 449, 561, 199, 244, 494, 693, and 248 ordered to engrossment and third reading.

Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Mr. Knights moved to amend as follows:

Amend by striking out the words "Secretary of State" in second line of the title and inserting in lieu thereof the words "Board of Public Works."

Amendment adopted.

Assembly Bill No. 694 ordered to print, engrossment, and third reading.

Assembly Bill No. 661—An Act making an appropriation to pay the claim of D. E. O'Keefe, for publishing summons in foreclosing interest of delinquent purchasers of school lands.

Mr. Brown moved to amend as follows:

Amend by striking out the word "immediately" in line 1, Section 3, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 661 ordered to print, engrossment, and third reading.

Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinneys along the western shore of Lake Tahoe, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of Section 1, line 3, the words and figures "twenty thousand dollars (\$20,000)," and inserting "eighteen thousand dollars (\$18,000)."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word "necessary," Section 1, line 4, the words "one half of which shall be taken from the General Fund, and made available during the fifty-first fiscal year, and the other half during the fifty-second fiscal year."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of Section 1, lines 4 and 5, the words "obtaining the right of way for."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out of line 2, Section 2, the word "State," and inserting the word "public."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out of line 5, Section 2, the word "State," and inserting after the word "highways" the words "under its control"

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting after the word "Controller," line 3, Section 4, the words "in the name of the Highway Commissioner, who shall disburse the same; but before the payment of any moneys under the provisions of this Act, the claims for the same shall be approved by the Highway Commissioner, and audited by the State Board of Examiners."

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out of lines 3 and 4, Section 4, the words "in the same manner as is provided for other State highways."

Amendment adopted.

Assembly Bill No. 417 ordered to print, engrossment, and third reading.

Assembly Bill No. 415—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

The following committee amendment was submitted:

Amend Section 1 of printed bill by changing the portion inclosed in parentheses, so that it will read "after the same has been approved by the State Board of Examiners."

Amendment adopted.

Assembly Bill No. 345 ordered to print, engrossment, and third reading.

Assembly Bill No. 242—An Act making an appropriation to pay the claim of J. W. Sibole.

The following committee amendments were submitted:

Amend Section 1 of printed bill by striking out the words "one thousand," in line 1, and inserting in lieu thereof the words "six hundred and seventy-five."

Amendment adopted.

Also: Amend by striking out the word "immediately," in line 1, Section 3, page 1, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 242 ordered to print, engrossment, and third reading.

Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Pliesch, for money due and owing to said Theodore Pliesch from the State of California.

Mr. Beecher moved to amend as follows :

Amend by striking out the word "immediately" in line 1, Section 3, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 642 ordered to print, engrossment, and third reading.

Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water sprinkling and pumping plant in the Yosemite Valley.

The following committee amendment was submitted :

Amend by inserting, after the title, the enacting clause :

"The People of the State of California, represented in Senate and Assembly, do enact as follows."

Amendment adopted.

Assembly Bill No. 630 ordered to print, engrossment, and third reading.

Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by inserting the words "San Francisco" before the word "Bulletin."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1, printed bill, by inserting in line 3 of same the words "San Francisco" before the word "Bulletin"; also, amend line 4, Section 1, printed bill, by inserting after the word "amendments" the words "for the year 1896."

Amendment adopted.

Assembly Bill No. 94 ordered to print, engrossment, and third reading.

Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To pay the claim of J. E. Atkinson, and making an appropriation therefor.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. The sum of fifteen thousand dollars (\$15,000) is hereby appropriated out of any moneys in the General Fund of the State Treasury not otherwise appropriated, to pay the claim of J. E. Atkinson.

"SEC. 2. The Controller of State is hereby directed to draw his warrant on the State Treasurer, who shall pay the same for the sum of fifteen thousand dollars in favor of the State Board of Examiners, who shall invest the same in interest-bearing bonds of the State, or of some solvent county or counties thereof, or in approved school district bonds, and shall collect the interest thereon, and pay the same to the said J. E. Atkinson during his natural life; *provided*, that upon his death the said bonds shall be sold, and the amount realized therefrom be returned to the General Fund of the State Treasury.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 846 ordered to print, engrossment, and third reading.

Assembly Bill No. 741—An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe

his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting in Section 3, line 3, printed bill, the word "and" after the word "birds."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting in line 3, Section 3, before the word "trout," the words "the preservation and protection of."

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting the word "accessible" after the word "nearest" in Section 4, line 15, printed bill.

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out of line 3, Section 9, page 4, printed bill, the word "duties" after the word "his," and inserting in lieu thereof the word "office."

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting the word "and" after the word "birds" in line 3, Section 3, printed bill; also, by inserting the words "for the preservation and protection of" after the word "game," in line 3, Section 3, printed bill.

Amendment adopted.

AMENDMENT No. 7.

Amend by inserting the word "accessible" after the word "nearest," in line 15, Section 4, printed bill.

Amendment adopted.

AMENDMENT No. 8.

Amend by inserting the words "by and with the consent of the Governor," after the word "shall," in line 1, Section 6, printed bill.

Amendment adopted.

AMENDMENT No. 9.

Amend by striking out of line 8, Section 7, the period after the word "State," and inserting a semicolon, and adding the following words: "but shall receive no compensation from the State; *provided*, that nothing in this Act shall impair or affect the right, or power, or duty of Boards of Supervisors to appoint and pay Game and Fish Wardens in their respective counties under existing laws."

Amendment adopted.

AMENDMENT No. 10.

Amend by striking out of lines 2 and 3, Section 10, printed bill, the word "fifteen," and inserting in lieu thereof the word "ten."

Amendment adopted.

AMENDMENT No. 11.

Amend by striking out of line 6, printed bill, the period after the word "provided," and inserting in lieu thereof a semicolon, and adding the following words: "one half of the sum hereby appropriated is to be used during the fifty-first fiscal year, and the remaining one half during the fifty-second fiscal year."

Amendment adopted.

Assembly Bill No. 741 ordered to print, engrossment, and third reading.
Mr. Caminetti moved that the Ways and Means file be continued to-night after the consideration of special orders of the evening.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Caminetti:

Resolved, That the Senate be and it is hereby requested to return to this House Senate Bill No. 54 as printed with the amendments of the free conference committee thereto, in order that the same may be put on final passage in this House as the same is amended.

Resolution adopted.

At five o'clock and forty-five minutes P. M., on motion of Mr. Hoey, the Assembly took a recess until seven o'clock P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock P. M.

Speaker pro tem. Dunlap in the chair.

On motion of Mr. Dibble, the Assembly took a recess for ten minutes.

Mr. Dibble moved that the Assembly do now consider Senate messages. So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 336—An Act to amend Section 592 of the Penal Code of the State of California.

Also: Senate Bill No. 337—An Act to amend Section 591 of the Penal Code of the State of California.

Also: Senate Bill No. 240—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Senate Bill No. 105—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts and Justices of the Peace.

Also: Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors

F. J. BRANDON, Secretary of Senate

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 336—An Act to amend Section 592 of the Penal Code of the State of California.

Read first time, and ordered on Senate special file, being an identical bill.

Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 240—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and ordered on Senate special file, being an identical bill.

Senate Bill No. 105—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts and Justices of the Peace.

Read first time, and ordered on Senate special file, being an identical bill.

Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Read first time and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Bill No. 127—An Act to repeal an Act

entitled "An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collecting of ad valorem taxes," approved February 23, 1883.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 63 (a case of urgency)—An Act to amend Section 1227 of the Civil Code of the State of California.

Also: Senate Bill No. 327—An Act providing for liens upon horses and other animals for the cost of shoeing the same.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 63—An Act to amend Section 1227 of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 327—An Act providing for liens upon horses and other animals for shoeing the same.

Read second time, and ordered on Senate special file for second reading, being an identical bill.

SPECIAL ORDERS.

Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising the constitutional amendments.

Read second time.

Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil B. Dankey, for printing the constitutional amendments.

Read second time.

Assembly Bill No. 407—An Act making an appropriation to pay the claim of The Capital, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 876—An Act to appropriate the sum of \$470 to pay the claim of E. C. Rust, for money due from the State of California.

Read second time.

Assembly Bill No. 864—An Act to provide for the payment for advertising the constitutional amendments, and making an appropriation therefor.

Read second time.

Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 795—An Act to provide for the payment of \$125 to F. B. Colver, the proprietor of the Labor World and Silver Champion, for advertising of the constitutional amendments, and to make an appropriation therefor.

Read second time.

Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising constitutional amendments, and making an appropriation therefor.

Read second time.

Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of the Town Talk Publishing Company against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 785—An Act to provide for the payment of \$200 to J. K. Spect, proprietor of the Willows Promoter, for advertising the constitutional amendments, and to make an appropriation therefor.

Read second time.

Assembly Bill No. 840—An Act to appropriate the sum of \$308 to pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

Read second time.

Assembly Bill No. 822—An Act to provide for the payment of \$180 to John McGonigle, proprietor of the Ventura Democrat, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 903—An Act making an appropriation to pay the claim of the Butchers and Stockgrowers' Journal, for publishing constitutional amendments.

Read second time.

Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Sehorn, proprietor of the Daily Willows Journal, for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read second time.

Assembly Bill No. 865—An Act to provide for the claim of W. A. Spalding, of the Herald Publishing Company of Los Angeles.

Read second time.

Assembly Bill No. 863—An Act to provide for the payment of the Blue Lake Advocate, for advertising the constitutional amendments, and making an appropriation therefor.

Read second time.

Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

Read second time.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1898.

Read second time.

Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Read second time.

Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due from the State of California.

Read second time.

Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 958—An Act making an appropriation to pay the

claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

Read second time.

Assembly Bill No. 836—An Act making an appropriation to pay the claim of the Herald Publishing Company, San José, for advertising the constitutional amendments for the year 1898.

Read second time.

Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas H. Menihan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due him from the State of California.

Read second time.

Assembly Bill No. 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Read second time.

Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments.

Read second time.

Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

Read second time.

Assembly Bill No. 856—An Act making an appropriation to pay the claim of the Appeal Publishing Company, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassiday, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 801—An Act providing for the payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 918—An Act to pay the claim of the Gonzales Tribune, and making an appropriation therefor.

Read second time.

Assembly Bill No. 968—An Act making an appropriation to pay the claim of the Williams Farmer, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 848—An Act making an appropriation to pay the claim of Events, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 934—An Act to appropriate the sum of \$300 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Read second time.

Assembly Bill No. 974—An Act to appropriate \$114 to pay the claim of the Fullerton Tribune, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

Read second time.

Assembly Bill No. 969—An Act to appropriate \$250 to pay the claim of M. C. Dufficy, for publishing constitutional amendments.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dunlap in the chair, for the purpose of considering Assembly Bills Nos. 881, 872, 407, 876, 864, 891, 904, 795, 915, 809, 785, 840, 822, 903, 784, 865, 863, 790, 811, 885, 766, 747, 958, 836, 828, 803, 875, 734, 906, 777, 890, 856, 799, 801, 843, 900, 918, 968, 848, 934, 974, and 929.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 881, 872, 407, 876, 864, 891, 904, 795, 915, 809, 785, 840, 822, 903, 784, 865, 863, 790, 811, 885, 766, 747, 958, 836, 828, 803, 875, 734, 906, 777, 890, 856, 799, 801, 843, 900, 918, 968, 848, 934, 974, and 929 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration the following Assembly bills, viz:

Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising the constitutional amendments.

Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil B. Dankey, for printing the constitutional amendments.

Assembly Bill No. 407—An Act making an appropriation to pay the claim of The Capital, for advertising constitutional amendments.

Assembly Bill No. 876—An Act to appropriate the sum of \$470 to pay the claim of E. C. Rust, for money due from the State of California.

Assembly Bill No. 864—An Act to provide for the payment for advertising the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments.

Assembly Bill No. 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments.

Assembly Bill No. 795—An Act to provide for the payment of \$125 to F. B. Colver, the proprietor of the Labor World and Silver Champion, for advertising the constitutional amendments, and to make appropriation therefor.

Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of the Town Talk Publishing Company against the State of California, and making appropriation therefor.

Assembly Bill No. 785—An Act to provide for the payment of \$200 to J. K. Spect, proprietor of the Willows Promoter, for advertising the constitutional amendments, and to make an appropriation therefor.

Assembly Bill No. 840—An Act to appropriate the sum of \$308 to pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

Assembly Bill No. 822—An Act to provide for the payment of \$180 to John McGonigle, the proprietor of the Ventura Democrat, for advertising constitutional amendments.

Assembly Bill No. 903—An Act making an appropriation to pay the claim of the Butchers and Stockgrowers' Journal, for publishing constitutional amendments.

Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Sehorn, proprietor of the Daily Willows Journal, for the advertising of the constitutional amendments, and to make an appropriation therefor.

Assembly Bill No. 866—An Act to provide for the claim of W. A. Spalding of the Herald Publishing Company of Los Angeles.

Assembly Bill No. 863—An Act to provide for the payment of the claim of the Blue Lake Advocate, for the advertising of the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1898.

Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. I. Childs, for money due from the State of California.

Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger, for advertising constitutional amendments.

Assembly Bill No. 938—An Act making an appropriation to pay the claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

Assembly Bill No. 836—An Act making an appropriation to pay the claim of the Herald Publishing Company, San José, for advertising the constitutional amendments for the year 1898.

Assembly Bill No. 829—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas H. Menihan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

Assembly Bill No. 875—An Act to appropriate the sum of \$300, to pay the claim of J. B. Sanford, for money due him from the State of California.

Assembly Bill No. 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments.

Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

Assembly Bill No. 856—An Act making an appropriation to pay the claim of the Appeal Publishing Company, for advertising constitutional amendments.

Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassidy, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Assembly Bill No. 801—An Act providing for the payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising constitutional amendments.

Assembly Bill No. 918—An Act to pay the claim of the Gonzales Tribune, and making an appropriation therefor.

Assembly Bill No. 968—An Act making an appropriation to pay the claim of the Williams Farmer, for advertising constitutional amendments.

Assembly Bill No. 845—An Act making an appropriation to pay the claim of Events, for advertising constitutional amendments.

Assembly Bill No. 934—An Act to appropriate the sum of \$300 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Assembly Bill No. 974—An Act to appropriate \$114 to pay the claim of the Fullerton Tribune, for advertising constitutional amendments.

Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

Assembly Bill No. 969—An Act to appropriate \$250 to pay the claim of M. C. Duffley, for publishing constitutional amendments.

And do now report the same back, and recommend that said bills do pass as per recommendation following said bills, respectively

Assembly Bills Nos. 881, 872, 407, 876, 864, 891, 904, 795, 915, 809, 785, 840, 822, 903, 784, 865, 863, 790, 811, 885, 766, 747, 958, 836, 828, 803, 875, 734, 906, 777, 890, 856, 799, 801, 843, 900, 918, 968, 848, 934, 974, 929, and 969, each as amended.

DUNLAP, Chairman.

Report adopted.

Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising the constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$175 to pay the claim of the Trinity Journal, for money due and owing the said Trinity Journal from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and seventy-five dollars to pay the claim of Trinity Journal, the said sum of one hundred and seventy-five dollars being now due and owing from the State of California to the said Trinity Journal.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of said Trinity Journal for the said sum of one hundred and seventy-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 881 ordered to print, engrossment, and third reading.

Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil B. Dankey, for printing the constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$100 to pay the claim of Phil B. Dankey, for money due and owing the said Phil B. Dankey from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred dollars to pay the claim of Phil B. Dankey, the said sum of one hundred dollars being now due and owing from the State of California to the said Phil B. Dankey.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Phil B. Dankey for the said sum of one hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 872 ordered to print, engrossment, and third reading.

Assembly Bill No. 407—An Act making an appropriation to pay the claim of The Capital, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$200 to pay the claim of The Capital, for money due and owing the said The Capital from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of two hundred dollars to pay the claim of The Capital, the said sum of two hundred dollars being now due and owing from the State of California to the said The Capital.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Capital for the said sum of two hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 407 ordered to print, engrossment, and third reading.

Assembly Bill No. 876—An Act to appropriate the sum of \$470 to pay the claim of E. C. Rust, for money due from the State of California.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$300 to pay the claim of E. C. Rust for money due and owing the said E. C. Rust from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of three hundred dollars to pay the claim of E. C. Rust, the said sum of three hundred dollars being now due and owing from the State of California to the said E. C. Rust.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said E. C. Rust for the said sum of three hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 876 ordered to print, engrossment, and third reading.

Assembly Bill No. 864—An Act to provide for the payment for advertising the constitutional amendments, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$1,000 to pay the claim of California Demokrat for money due and owing the said California Demokrat from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one thousand dollars to pay the claim of California Demokrat, the said sum of one thousand dollars being now due and owing from the State of California to the said California Demokrat.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said California Demokrat for the said sum of one thousand dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 864 ordered to print, engrossment, and third reading.

Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$120 to pay the claim of the Chico Daily Record, for money due and owing the said Chico Daily Record from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and twenty dollars to pay the claim of the Chico Daily Record, the said sum of one hundred and twenty dollars being now due and owing from the State of California to the said Chico Daily Record.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Chico Daily Record for the said sum of one hundred and twenty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 891 ordered to print, engrossment, and third reading.

Assembly Bill No. 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments.

The following committee amendments were submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of the Inyo Independent, for money due and owing the said Inyo Independent from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and fifty dollars to pay the claim of Inyo Independent, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said Inyo Independent.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Inyo Independent for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 904 ordered to print, engrossment, and third reading.

Assembly Bill No. 795—An Act to provide for the payment of \$125 to F. B. Colver, the proprietor of the Labor World and Silver Champion, for advertising the constitutional amendments, and to make appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$125 to pay the claim of F. B. Colver, for money due and owing the said F. B. Colver from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and twenty-five dollars to pay the claim of F. B. Colver, the said sum of one hundred and twenty-five dollars being now due and owing from the State of California to the said F. B. Colver.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said F. B. Colver for the said sum of one hundred and twenty-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 795 ordered to print, engrossment, and third reading.

Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising constitutional amendments, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$135 to pay the claim of Clark & Sharp, for money due and owing the said Clark & Sharp from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and thirty-five dollars to pay the claim

of Clark & Sharp, the said sum of one hundred and thirty-five dollars being now due and owing from the State of California to the said Clark & Sharp.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Clark & Sharp for the said sum of one hundred and thirty-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred.

Amendment adopted.

Assembly Bill No. 915 ordered to print, engrossment, and third reading.

Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of the Town Talk Publishing Company against the State of California, and making appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$175 to pay the claim of the Town Talk Publishing Company, for money due and owing the said Town Talk Publishing Company from the State of California.

"*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and seventy-five dollars to pay the claim of the Town Talk Publishing Company, the said sum of one hundred and seventy-five dollars being now due and owing from the State of California to the said Town Talk Publishing Company.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Town Talk Publishing Company for the said sum of one hundred and seventy-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Mr. Crowley moved to amend as follows:

Amend the original bill by striking out of line 3 the figures "1898," and inserting in lieu thereof the figures "1896."

Amendment adopted.

Mr. Crowley moved to amend the amendment as follows:

Strike out the words and figures "one hundred and seventy-five dollars (\$175)" where they occur therein, and insert in lieu thereof the following words and figures: "two hundred and fifty dollars (\$250)."

Amendment adopted.

Amendment as amended adopted.

Assembly Bill No. 809 ordered to print, engrossment, and third reading.

Assembly Bill No. 785—An Act to provide for the payment of \$200 to J. K. Spect, proprietor of the Willows Promoter, for advertising the constitutional amendments, and to make an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$100 to pay the claim of the Willows Promoter, for money due and owing the said Willows Promoter from the State of California.

"*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred dollars to pay the claim of the Willows Promoter, the said sum of one hundred dollars being now due and owing from the State of California to the said Willows Promoter.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Willows Promoter for the said sum of one hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 785 ordered to print, engrossment, and third reading.

Assembly Bill No. 840—An Act to appropriate the sum of \$308 to

pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$250 to pay the claim of A. A. Taylor, for money due and owing the said A. A. Taylor from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of two hundred and fifty dollars to pay the claim of A. A. Taylor, the said sum of two hundred and fifty dollars being now due and owing from the State of California to the said A. A. Taylor.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said A. A. Taylor for the said sum of two hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 840 ordered to print, engrossment, and third reading.

Assembly Bill No. 822—An Act to provide for the payment of \$180 to John McGonigle, the proprietor of the Ventura Democrat, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$180 to pay the claim of John McGonigle, for money due and owing the said John McGonigle from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and eighty dollars to pay the claim of John McGonigle, the said sum of one hundred and eighty dollars being now due and owing from the State of California to the said John McGonigle.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said John McGonigle for the said sum of one hundred and eighty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 822 ordered to print, engrossment, and third reading.

Assembly Bill No. 903—An Act making an appropriation to pay the claim of the Butchers and Stockgrowers' Journal, for publishing constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$75 to pay the claim of Butchers and Stockgrowers' Journal, for money due and owing the said Butchers and Stockgrowers' Journal from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of seventy-five dollars to pay the claim of Butchers and Stockgrowers' Journal, the said sum of seventy-five dollars being now due and owing from the State of California to the said Butchers and Stockgrowers' Journal.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Butchers and Stockgrowers' Journal for the said sum of seventy-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 903 ordered to print, engrossment, and third reading.

Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Sehorn, proprietor of the Daily Willows Journal, for the advertising of constitutional amendments, and to make an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$100 to pay the claim of E. M. Sehorn, for money due and owing the said E. M. Sehorn from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred dollars to pay the claim of E. M. Sehorn, the said sum of one hundred dollars being now due and owing from the State of California to the said E. M. Sehorn.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said E. M. Sehorn for the said sum of one hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 784 ordered to print, engrossment, and third reading.

Assembly Bill No. 865—An Act to provide for the claim of W. A. Spalding of the Herald Publishing Company of Los Angeles.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$1,100 to pay the claim of W. A. Spalding for money due and owing the said W. A. Spalding from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of eleven hundred dollars to pay the claim of W. A. Spalding, the said sum of eleven hundred dollars being now due and owing from the State of California to the said W. A. Spalding.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said W. A. Spalding for the said sum of eleven hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 865 ordered to print, engrossment, and third reading.

Assembly Bill No. 863—An Act to provide for the payment of the claim of the Blue Lake Advocate, for the advertising of the constitutional amendments, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$125 to pay the claim of Blue Lake Advocate, for money due and owing the said Blue Lake Advocate from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and twenty-five dollars to pay the claim of Blue Lake Advocate, the said sum of one hundred and twenty-five dollars being now due and owing from the State of California to the said Blue Lake Advocate.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Blue Lake Advocate for the said sum of one hundred and twenty-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 863 ordered to print, engrossment, and third reading.

Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$400 to pay the claim of Allen B. Lemmon, for money due and owing the said Allen B. Lemmon from the State of California.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of four hundred dollars to pay the claim of Allen B. Lemmon, the said sum of four hundred dollars being now due and owing from the State of California to the said Allen B. Lemmon.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Allen B. Lemmon for the said sum of four hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 790 ordered to print, engrossment, and third reading.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1898.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$1,600 to pay the claim of Evening Post Publishing Company, for money due and owing the said Evening Post Publishing Company from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of sixteen hundred dollars to pay the claim of Evening Post Publishing Company, the said sum of sixteen hundred dollars being now due and owing from the State of California to the said Evening Post Publishing Company."

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Evening Post Publishing Company for the said sum of sixteen hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 811 ordered to print, engrossment, and third reading.

Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$300 to pay the claim of the San Francisco News Letter for money due and owing the said San Francisco News Letter from the State of California."

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of three hundred dollars to pay the claim of the San Francisco News Letter, the said sum of three hundred dollars being now due and owing from the State of California to the said San Francisco News Letter.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said San Francisco News Letter for the said sum of three hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 885 ordered to print, engrossment, and third reading.

Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs for money due from the State of California.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due and owing the said J. L. Childs from the State of California."

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and fifty dollars to pay the claim

of J. L. Childs, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said J. L. Childs.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said J. L. Childs for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 766 ordered to print, engrossment, and third reading.

Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of the Mountain Messenger, for money due and owing the said Mountain Messenger from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and fifty dollars to pay the claim of the Mountain Messenger, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said Mountain Messenger.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Mountain Messenger for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 747 ordered to print, engrossment, and third reading.

Assembly Bill No. 958—An Act making an appropriation to pay the claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$225 to pay the claim of Napa Journal, for money due and owing the said Napa Journal from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of two hundred and twenty-five dollars to pay the claim of Napa Journal, the said sum of two hundred and twenty-five dollars being now due and owing from the State of California to the said Napa Journal.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Napa Journal for the said sum of two hundred and twenty-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted

Assembly Bill No. 958 ordered to print, engrossment, and third reading.

Assembly Bill No. 836—An Act making an appropriation to pay the claim of the Herald Publishing Company, San José, for advertising the constitutional amendments for the year 1898.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$600 to pay the claim of Herald Publishing Company for money due and owing the said Herald Publishing Company from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of six hundred dollars to pay the claim of Herald Publishing Company, the said sum of six hundred dollars being now due and owing from the State of California to the said Herald Publishing Company.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant

in favor of the said Herald Publishing Company for the said sum of six hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 836 ordered to print, engrossment, and third reading.

Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$300 to pay the claim of Argus Publishing Company, for money due and owing the said Argus Publishing Company from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of three hundred dollars to pay the claim of Argus Publishing Company, the said sum of three hundred dollars being now due and owing from the State of California to the said Argus Publishing Company.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Argus Publishing Company for the said sum of three hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 828 ordered to print, engrossment, and third reading.

Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas M. Menihan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of Thos. M. Menihan, for money due and owing the said Thos. M. Menihan from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fifty dollars to pay the claim of Thos. M. Menihan, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said Thos. M. Menihan.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Thos. M. Menihan for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 803 ordered to print, engrossment, and third reading.

Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due him from the State of California.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$300 to pay the claim of J. B. Sanford for money due and owing the said J. B. Sanford from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of three hundred dollars, to pay the claim of J. B. Sanford, the said sum of three hundred dollars being now due and owing from the State of California to the said J. B. Sanford

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said J. B. Sanford for the said sum of three hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 875 ordered to print, engrossment, and third reading.

Assembly Bill No. 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$3,400 to pay the claim of San Francisco Call, for money due and owing the said San Francisco Call from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of thirty-four hundred dollars to pay the claim of San Francisco Call, the said sum of thirty-four hundred dollars being now due and owing from the State of California to the said San Francisco Call.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said San Francisco Call for the said sum of thirty-four hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 734 ordered to print, engrossment, and third reading.

Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$250 to pay the claim of Alfred Harrell, for money due and owing the said Alfred Harrell from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of two hundred and fifty dollars to pay the claim of Alfred Harrell, the said sum of two hundred and fifty dollars being now due and owing from the State of California to the said Alfred Harrell.

"SEC 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Alfred Harrell for the said sum of two hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 906 ordered to print, engrossment, and third reading.

Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$1,164 to pay the claim of James McClatchy & Co, for money due and owing the said James McClatchy & Co. from the State of California

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of eleven hundred and sixty-four dollars to pay the claim of James McClatchy & Co., the said sum of eleven hundred and sixty-four dollars being now due and owing from the State of California to the said James McClatchy & Co

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said James McClatchy & Co. for the said sum of eleven hundred and sixty-four dollars, and the State Treasurer is hereby directed to pay the same.

"SEC 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 777 ordered to print, engrossment, and third reading.

Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of Big Valley Gazette, for money due and owing the said Big Valley Gazette from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and fifty dollars to pay the claim of Big Valley Gazette, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said Big Valley Gazette.

"SEC. 2 The State Controller is hereby authorized and directed to draw his warrant in favor of the said Big Valley Gazette for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 890 ordered to print, engrossment, and third reading.

Assembly Bill No. 856—An Act making an appropriation to pay the claim of the Appeal Publishing Company, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$350 to pay the claim of Appeal Publishing Company, for money due and owing the said Appeal Publishing Company from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of three hundred and fifty dollars to pay the claim of Appeal Publishing Company, the said sum of three hundred and fifty dollars being now due and owing from the State of California to said Appeal Publishing Company.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Appeal Publishing Company for the said sum of three hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 856 ordered to print, engrossment, and third reading.

Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassiday, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$50 to pay the claim of McNab & Cassiday, for money due and owing the said McNab & Cassiday from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows :

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of fifty dollars to pay the claim of McNab & Cassiday, the said sum of fifty dollars being now due and owing from the State of California to the said McNab & Cassiday.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said McNab & Cassiday for the said sum of fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 799 ordered to print, engrossment, and third reading.

Assembly Bill No. 801—An Act providing for the payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following.

"To appropriate the sum of \$175 to pay the claim of the Petaluma Printing Company, for money due and owing said Petaluma Printing Company from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and seventy-five dollars to pay the claim of Petaluma Printing Company, the said sum of one hundred and seventy-five dollars being now due and owing from the State of California to the said Petaluma Printing Company.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Petaluma Printing Company for the said sum of one hundred and seventy-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 801 ordered to print, engrossment, and third reading.

Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of W. D. Pennycook, for money due and owing the said W. D. Pennycook from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fifty dollars to pay the claim of W. D. Pennycook, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said W. D. Pennycook.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said W. D. Pennycook for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 843 ordered to print, engrossment, and third reading.

Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following.

"To appropriate the sum of \$175 to pay the claim of Shasta County Democrat, for money due and owing the said Shasta County Democrat from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and seventy-five dollars to pay the claim of Shasta County Democrat, the said sum of one hundred and seventy-five dollars being now due and owing from the State of California to the said Shasta County Democrat.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Shasta County Democrat for the said sum of one hundred and seventy-five dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 900 ordered to print, engrossment, and third reading.

Assembly Bill No. 918—An Act to pay the claim of the Gonzales Tribune, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of Gonzales Tribune, for money due and owing the said Gonzales Tribune from the State of California

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fifty dollars to pay the claim of Gonzales Tribune, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said Gonzales Tribune

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Gonzales Tribune for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 918 ordered to print, engrossment, and third reading.

Assembly Bill No. 968—An Act making an appropriation to pay the claim of the Williams Farmer, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of the Williams Farmer, for money due and owing the said the Williams Farmer from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fifty dollars to pay the claim of the Williams Farmer, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said the Williams Farmer.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said the Williams Farmer for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same

"SEC. 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 968 ordered to print, engrossment, and third reading.

Assembly Bill No. 848—An Act making an appropriation to pay the claim of Events, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$100 to pay the claim of Events, for money due and owing the said Events from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows.

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred dollars to pay the claim of Events, the said sum of one hundred dollars being now due and owing from the State of California to the said Events.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Events for the said sum of one hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 848 ordered to print, engrossment, and third reading.

Assembly Bill No. 934—An Act to appropriate the sum of \$300 to pay the claim of M. T. McFarland for money due and owing the said M. T. McFarland from the State of California.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of M. T. McFarland, for money due and owing the said M. T. McFarland from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fifty dollars to pay the claim of M. T. McFarland, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said M. T. McFarland

"SEC. 2 The State Controller is hereby authorized and directed to draw his warrant in favor of the said M. T. McFarland for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 934 ordered to print, engrossment, and third reading.

Assembly Bill No. 974—An Act to appropriate the sum of \$114 to pay the claim of the Fullerton Tribune, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following.

"To appropriate the sum of \$114 to pay the claim of Fullerton Tribune, for money due and owing the said Fullerton Tribune from the State of California

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fourteen dollars to pay the claim of Fullerton Tribune, the said sum of one hundred and fourteen dollars being now due and owing from the State of California to the said Fullerton Tribune.

"SEC. 2 The State Controller is hereby authorized and directed to draw his warrant in favor of the said Fullerton Tribune for the said sum of one hundred and fourteen dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3 This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 974 ordered to print, engrossment, and third reading.

Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$150 to pay the claim of the Merced Star for money due and owing the said Merced Star from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred and fifty dollars to pay the claim of the Merced Star, the said sum of one hundred and fifty dollars being now due and owing from the State of California to the said Merced Star.

"SEC. 2 The State Controller is hereby authorized and directed to draw his warrant in favor of the said Merced Star for the said sum of one hundred and fifty dollars, and the State Treasurer is hereby directed to pay the same

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 929 ordered to print, engrossment, and third reading.

Assembly Bill No. 969—An Act to appropriate \$250 to pay the claim of M. C. Duffley, for publishing constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$100 to pay the claim of M. C. Duffley, for money due and owing the said M. C. Duffley from the State of California.

"The People of the State of California, represented in Senate and Assembly do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred dollars to pay the claim of M. C. Duffley, the said sum of one hundred dollars being now due and owing from the State of California to the said M. C. Duffley.

"Sec. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said M. C. Dufficy for the said sum of one hundred dollars, and the State Treasurer is hereby directed to pay the same.

"Sec. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 969 ordered to print, engrossment, and third reading.

CABLEGRAM FROM ADMIRAL DEWEY.

The following communication from Admiral George Dewey, U. S. N., in answer to congratulations yesterday cabled to him by the Assembly upon his promotion to be Admiral of the Navy, was received and read by the Chief Clerk, and, upon motion of Mr. Wardell, ordered printed in the Journal:

KYLE, *Sacramento, Cal.* Heartfelt thanks.

MANILA, March 4, 1899.

DEWEY.

UNFINISHED BUSINESS ON FILE OF WAYS AND MEANS APPROPRIATION BILLS.

Assembly Bill No. 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.
Read second time.

Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Read second time.

Assembly Bill No. 59—An Act to provide for the construction of a free wagon road from the Mono Lake Basin to connect with the road called "Tioga Road," at or near the Tioga Mine, and making an appropriation therefor.

Stricken from the file.

Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Read second time.

Assembly Bill No. 699—An Act making an appropriation to pay the claim of John J. Snyder for costs of suit in foreclosing delinquent purchasers of State school lands.

Read second time.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Read second time.

Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase live stock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Read second time.

Assembly Bill No. 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at

Stockton, to pay for constructing a concrete sidewalk and suitable fencing along California and Park streets, in the City of Stockton, around the lands occupied by the State Hospital.

Read second time.

Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Read second time.

Assembly Bill No. 558—An Act making an appropriation for a concrete floor in the basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Read second time.

Assembly Bill No. 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Read second time.

Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and vaults therein, and making an appropriation therefor.

Read second time.

Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Read second time.

Assembly Bill No. 666—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth fiscal year.

Read second time.

Assembly Bill No. 667—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

Read second time.

Assembly Bill No. 604—An Act making an appropriation to pay expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Read second time.

Assembly Bill No. 778—An Act to provide for the claim of B. A. Johnson, for a balance due on supplies furnished the National Guard, and making an appropriation therefor.

Read second time.

Assembly Bill No. 830—An Act to provide for the payment of the claim of George H. Stewart, and making an appropriation therefor.

Read second time.

Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor.

Read second time.

Assembly Bill No. 620—An Act providing for the construction of a State highway or free wagon road from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County,

to connect with the most desirable public road leading to the Yosemite Valley, providing for the appointment of a Board of Commissioners, and authorizing and directing said Board of Commissioners to perform certain duties relating to the construction of such highway, and to condemn land and property for the purposes aforesaid, and making an appropriation for the expenditures and purposes provided in this Act.

Stricken from the file.

Assembly Bill No. 709—An Act to appropriate the sum of \$50,000 for the construction of a free wagon road from the town of Merced Falls, in Merced County, to the Yosemite Valley, and to repeal and to take the place of an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley," approved March, etc.

Stricken from the file.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Read second time.

Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor.

Read second time.

Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Read second time.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Read second time.

Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read second time.

Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

Read second time.

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Read second time.

Assembly Bill No. 590—An Act to establish a Bureau of Records of the War of the Rebellion, the National Guard of California, the Spanish American War, and the preservation of records and relics, and authorizing the Adjutant-General to appoint a chief of such bureau, and fixing the amount of his salary.

Read second time.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Read second time.

Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

Read second time.

Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the services of the State.

Read second time.

Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the Administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Read second time.

Assembly Bill No. 194—An Act to provide for the completion of the main buildings of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof; to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Assembly Bill No. 86—An Act to appropriate seventeen thousand five hundred (17,500) dollars for the furnishing of the Administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate the money therefor, and provide for the expenditure of the same.

Read second time.

Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State."

Read second time.

Assembly Bill No. 195—An Act to provide for the erection and equipment of a commissary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Read second time.

Assembly Bill No. 871—An Act to appropriate the sum of \$13,000 for the purpose of establishing an electric light and lighting plant in the Yosemite Valley.

Read second time.

Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor.

Read second time.

Assembly Bill No. 959—An Act to appropriate the sum of \$183 55, to pay the claim of Morris Brooke.

Read second time.

Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Read second time.

Assembly Bill No. 711—An Act making an appropriation to pay for providing additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Read second time.

Assembly Bill No. 933—An Act making an appropriation of \$15,000 for the opening and construction of a bitumen street, granite curb, and cement sidewalks through Capitol Park, on Thirteenth Street, from L to N streets.

Read second time.

Assembly Bill No. 943—An Act to establish a restaurant and barber shop, with baths attached thereto, in the basement of the State Capitol building at Sacramento, and appropriate the sum of \$5,000 therefor.

Read second time.

Assembly Bill No. 939—An Act to pay the unpaid salary of the late Dennis Spencer, attorney for the State Board of Health, and appropriating \$1,125 therefor.

Read second time.

Assembly Bill No. 886—An Act to appropriate money to pay the claim of the Oakland Enquirer Publishing Company, for printing 1,000 copies of report of the California Voting Machine Commission, which work was performed under contract with C. B. Morgan, secretary of said commission, under authority of the California Voting Commission.

Read second time.

Assembly Bill No. 977—An Act to appropriate moneys for the purpose of erecting a monument over the grave of the late Levi Rackliffe, Treasurer of State, in the State Burial Ground, who died during his term of office, April 21, 1898.

Read second time.

Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School at San Diego, for mileage in attending the meetings of the Joint Board of Normal School Trustees, held at San José in June, 1897, at Los Angeles in April, 1898, and Sacramento in September, 1898.

Read second time.

Assembly Bill No. 905—An Act making an appropriation for the purpose of sinking an oil well, or wells, on the grounds of the Agnews State Hospital.

Read second time.

Assembly Bill No. 812—An Act appropriating \$5,000 for the purpose of sending an expert to Eastern cities of the United States to collect and gather information concerning the transportation and sales of deciduous fruits from the State of California.

Read second time.

Assembly Bill No. 931—An Act making an appropriation to pay the claim of R. B. Young, for material, labor, and insurance premium paid in the construction and erection of the Whittier State School.

Read second time.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Read second time.

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with Speaker pro tem. Dunlap in the chair, for the purpose of considering Assembly Bills Nos. 477, 314, 369, 733, 501, 488, 610, 15, 227, 370, 368, 566, 338, 756, 590, 443, 675, 87, 194, 86, 191, 192, 367, 63, 924, and 933.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 477, 314, 369, 733, 501, 488, 610, 15, 227, 370, 368, 566, 338, 756, 590, 443, 675, 87, 194, 86, 191, 192, 367, 63, 924, and 933 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration the following Assembly bills:

Assembly Bill No. 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor

Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry

Assembly Bill No. 699—An Act making an appropriation to pay the claim of John J. Snyder for costs of suit in foreclosing delinquent purchasers of State school lands

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase live stock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Assembly Bill No. 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk and suitable fencing along California and Park streets, in the City of Stockton, around the lands occupied by the State Hospital.

Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Assembly Bill No 558—An Act making an appropriation for a concrete floor in the basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Assembly Bill No 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to furnish and repair his office, and making an appropriation therefor.

Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and vaults therein, and making an appropriation therefor

Assembly Bill No 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor

Assembly Bill No. 663—An Act making an appropriation to pay the claim of C W. Spring & Son.

Assembly Bill No. 666—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth fiscal year.

Assembly Bill No. 667—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

Assembly Bill No. 604—An Act making an appropriation to pay expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Assembly Bill No. 778—An Act to provide for the claim of B. A. Johnson, for a balance due on supplies furnished the National Guard, and making an appropriation therefor.

Assembly Bill No. 830—An Act to provide for the payment of the claim of George H. Stewart, and making an appropriation therefor.

Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor

Assembly Bill No 248—An Act making an appropriation to pay the claim of Olive R Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor.

Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Assembly Bill No 566—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert

Assembly Bill No. 590—An Act to establish a Bureau of Records of the War of the Rebellion, the National Guard of California, the Spanish-American War, and the preservation of records and relics, and authorizing the Adjutant-General to appoint a chief of such bureau, and fixing the amount of his salary

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same

Assembly Bill No. 194—An Act to provide for the completion of the main buildings of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 86—An Act to appropriate \$17,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same, to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate the money therefor and provide for the expenditure of the same.

Assembly Bill No 195—An Act to provide for the erection and equipment of a commissary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Assembly Bill No. 871—An Act to appropriate the sum of \$13,000 for the purpose of establishing an electric light and lighting plant in the Yosemite Valley.

Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor.

Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Assembly Bill No. 711—An Act making an appropriation to pay for providing additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Assembly Bill No. 933—An Act making an appropriation of \$15,000 for the opening and construction of a bitumen street, granite curb, and cement sidewalks through Capitol Park, on Thirteenth street, from L to N streets.

Assembly Bill No. 943—An Act to establish a restaurant and barber shop, with baths attached thereto, in the basement of the State Capitol building at Sacramento, and appropriate the sum of \$5,000 therefor.

Assembly Bill No. 939—An Act to pay the unpaid salary of the late Dennis Spencer, attorney for the State Board of Health, and appropriating \$1,125 therefor.

Assembly Bill No. 886—An Act to appropriate money to pay the claim of the Oakland Enquirer Publishing Company, for printing 1,000 copies of report of the California Voting Machine Commission, which work was performed under contract with C. B. Morgan, secretary of said commission, under authority of the California Voting Commission.

Assembly Bill No. 977—An Act to appropriate moneys for the purpose of erecting a monument over the grave of the late Levi Rackliffe, Treasurer of State, in the State Burial Ground, who died during his term of office, April 21, 1898.

Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School at San Diego, for mileage, in attending the meetings of the Joint Board of Normal School Trustees, held at San José in June 1897; at Los Angeles in April, 1898, and Sacramento in September, 1898.

Assembly Bill No. 812—An Act appropriating \$5,000 for the purpose of sending an expert to Eastern cities of the United States to collect and gather information concerning the transportation and sales of deciduous fruits from the State of California.

Assembly Bill No. 931—An Act making an appropriation to pay the claim of R. B. Young, for material, labor, and insurance premium paid in the construction and erection of the Whittier State School.

And do now report the same back, and recommend that they do pass, as per recommendation, viz.:

Assembly Bills Nos. 477, 314, 369, 733, 501, 488, 610, 15, 227, 370, 368, 566, 338, 756, 590, 443, 675, 87, 194, 86, 191, 192, 367, 63, 924, and 933, as amended.

And that such bills without any recommendation do pass.

DUNLAP, Chairman.

Report adopted.

The following bills were ordered to engrossment and third reading: Assembly Bills Nos. 699, 624, 625, 558, 666, 667, 604, 778, 830, 950, 248, 756, 590, 741, 195, 871, 959, 711, 943, 939, 886, 977, 946, 905, 812 and 931.

Assembly Bill No. 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Amend Section 1 of printed bill by striking out the words "ten thousand" and inserting in lieu thereof the words "five thousand."

Amendment adopted.

Assembly Bill No. 477 ordered to print, engrossment, and third reading.

Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

The following committee amendment was submitted:

Amend by striking out the words "eighty-two" in line 1, Section 1, page 1, printed bill, and inserting in lieu thereof the word "fifty."

Amendment adopted.

Assembly Bill No. 314 ordered to print, engrossment, and third reading.

Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

The following amendment was submitted by Mr. Caminetti:

Amend by striking out of Section 4, line 1, the word "immediately," and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 369 ordered to print, engrossment, and third reading.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

The following committee amendment was submitted:

Amend by striking out the words and figures "three thousand (3,000)," in line 1, Section 1, page 1, printed bill, and inserting in lieu thereof the following: "nine hundred and eighty seven."

Amendment adopted.

Assembly Bill No. 733 ordered to print, engrossment, and third reading.

Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the words "or so much thereof as may be necessary," after the figures "5,000," in line 1, Section 1, page 1, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the figures "5,000" in line 1, page 1, printed bill, and inserting in lieu thereof the following: ("5,000) dollars."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out all of Section 2 after the word and figure "Sec. 2," page 1, printed bill, Assembly Bill No. 501, and inserting in lieu thereof the following: "The State Controller is hereby authorized and directed to issue a warrant, or warrants, payable out of the General Fund of the State Treasury, for the sum of said appropriation, in favor of the Secretary of State, when the work is approved by the said Secretary of State and the State Board of Examiners, and if any balance is left or unexpended of said amount appropriated, it shall be by the said Secretary of State paid into the General Fund of the State Treasury. The State Treasurer is authorized to pay the warrants aforesaid."

Amendment adopted.

Assembly Bill No. 501 ordered to print, engrossment, and third reading.

Assembly Bill No. 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to furnish and repair his office, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all of Section 4, and renumbering Section 5 to read "Section 4," on page 2, printed bill.

Amendment adopted.

Assembly Bill No. 488 ordered to print, engrossment, and third reading.

Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and vaults therein, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words and figures "twelve thousand (12,000)," in lines 3 and 4, Section 2, page 1, printed bill, and inserting in lieu thereof the following: "seven thousand five hundred."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of Section 4, and renumber Section 5 to read "Sec. 4" on page 2, printed bill.

Amendment adopted.

Assembly Bill No. 610 ordered to print, engrossment, and third reading.

Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out the words "Secretary of State" in line 4, Section 1, printed bill, and in line 3, Section 2, and inserting in lieu thereof the following: "Board of Examiners."

Amendment adopted.

Assembly Bill No. 15 ordered to print, engrossment, and third reading.

Assembly Bill No. 227—An Act to pay the claim of Anton Curte against the State of California, and making an appropriation therefor.

The following committee amendment was submitted:

Strike out all after the enacting clause and insert as follows:

"SECTION 1. The sum of ten thousand (\$10,000) dollars is hereby appropriated out of any moneys in the General Fund of the State Treasury not otherwise appropriated, to pay the claim of Anton Curte, for personal injuries received by him while an inmate of the State Asylum for Insane at Stockton, and while employed in cowyard thereof under the instructions of an attendant, namely: broken jawbone and loss of sight of one eye by attack of a vicious bull.

"SEC. 2. The Controller of State is hereby directed to draw his warrant on the Treasurer, who shall pay the same, for the sum of ten thousand dollars in favor of the State Board of Examiners, who shall invest the same in interest-bearing bonds of the State, or of some solvent county or counties thereof, and shall collect the interest thereon and pay the same to the said Anton Curte during his natural life; *provided*, that upon his death the said bonds shall be sold and the amount realized returned to the General Fund of the State Treasury.

"SEC. 3. This Act shall take effect and be in force from and after its passage."

Mr. Johnson moved to amend the amendment as follows:

Strike out after the word "Curte" on line 5, Section 1, all of section and insert in lieu thereof the words "against the State of California."

Also: Add to Section 2 the following: "and the direction herein is hereby exempted from the operation of the provisions of Section 672 of the Political Code."

Amendment adopted.

Amendment as amended adopted.

Assembly Bill No. 227 ordered to print, engrossment, and third reading.

Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Mr. Caminetti moved to amend as follows:

Amend by striking out of Section 4, line 1, the word "immediately" and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 370 ordered to print, engrossment, and third reading.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Mr. Caminetti moved to amend as follows:

Amend by striking out of Section 4, line 1, the word "immediately," and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 368 ordered to print, engrossment, and third reading.

Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Mr. Feliz moved to amend as follows:

AMENDMENT No. 1.

Amend by striking out of the title the word "property" being the first word of line 2 of title and inserting in lieu thereof the word "trustees."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out of Section 4, line 1, the words "five thousand (5,000)" and inserting the following: "two thousand five hundred (2,500)."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of line 1, Section 5, the words "this Act shall take effect immediately" and insert the following: "this Act shall take effect from and after January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 566 ordered to print, engrossment, and third reading.

Assembly Bill No. 338—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of line 3, Section 1, printed bill, the word "eighty-eight," and inserting in lieu thereof the word "forty-one."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of lines 6 and 7, Section 1, of printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of line 8, Section 1, printed bill, the word "thousand," and inserting in lieu thereof the word "hundred."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out all of line 10, Section 1, printed bill.

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out all of lines 13, 14, 15, 16, 17, 18, and 19, Section 1, printed bill.

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out of line 21, Section 1, printed bill, the word "two."

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out of line 3, Section 2, printed bill, the word "by."

Amendment adopted.

Assembly Bill No. 238 ordered to print, engrossment, and third reading.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Mr. Rickard moved to amend as follows:

Amend by striking out all after the enacting clause and inserting the following:

"SECTION 1. There shall be a State Normal School established in the City and County of San Francisco, State of California, to be called the San Francisco State Normal School, for the training and educating of teachers and others in the art of instructing and governing the public schools of the State.

"SEC. 2. The Governor shall, within thirty days after the passage of this Act, appoint five persons who, with the Governor and State Superintendent of Public Instruction, shall constitute the Board of Trustees of said Normal School.

"SEC. 3. The said Trustees shall, within sixty days after their appointment, establish and cause to be opened and carried on in said City and County of San Francisco, the said Normal School, and shall provide suitable accommodations for the same, and may accept from the said City and County of San Francisco, or from the Board of Education thereof, a building or buildings for the use of said school.

"SEC. 4. The said State Normal School shall be governed by the same laws governing the present State Normal Schools of this State, and the terms of office of said Trustees shall be the same as the terms of the Trustees of the said other State Normal Schools.

"SEC. 5. The sum of twenty thousand dollars, not more than one half of which shall be available in the fifty-first fiscal year, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, for establishing and maintaining said State Normal School of San Francisco, and providing suitable accommodations therefor.

"SEC. 6. The Controller of State shall draw his warrant or warrants for said amount as required in favor of said Trustees.

"SEC. 7. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 443 ordered to print, engrossment, and third reading.

Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the period after the word "killed" in line 10, Section 2, page 1, printed bill, and inserting in lieu thereof the following: "And the clerk of the board shall immediately, upon the receipt thereof, transmit to the secretary of the Board of Examiners such scalp and paws and feet."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the words "of Supervisors of each county," in line 1, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "of Examiners."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out the word "clerk" in line 3, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "secretary."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out the word "give" in line 4, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "transmit"

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out the word "clerk" in line 6, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "secretary."

Amendment adopted.

COMMITTEE AMENDMENT No. 6.

Amend by striking out the word "he" in line 9, Section 3, page 2, printed bill, and inserting in lieu thereof the following: "be."

Amendment adopted.

COMMITTEE AMENDMENT No. 7.

Amend by striking out the word "Supervisors" in line 2, Section 4, page 2, printed bill, and inserting in lieu thereof the following: "Examiners."

Amendment adopted.

COMMITTEE AMENDMENT No. 8

Amend by inserting after the word "presented," in line 2, Section 5, page 2, printed bill, the following: "to the Board of Supervisors."

Amendment adopted.

COMMITTEE AMENDMENT No. 9.

Amend by striking out the period after the word "for" in line 4, Section 6, page 2, printed bill, and inserting in lieu thereof the following: "but the Board of Examiners shall not receive such scalp and paws or feet of more than fifty thousand coyotes, and the State is not hereby obligated to pay, nor shall it pay hereunder, for more than fifty thousand of such scalps and paws or feet."

Amendment adopted.

Assembly Bill No. 675 ordered to print, engrossment, and third reading.

Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the Administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Mr. Sanford moved to amend as follows:

Amend by striking out of Section 5, lines 1 and 2, the words "from and after its passage," and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 87 ordered to print, engrossment, and third reading.

Assembly Bill No. 194—An Act to provide for the completion of the main buildings of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof; to appropriate money therefor, and to authorize the expenditure of the same.

Mr. Cowan moved to amend as follows:

Amend by striking out of Section 5, line 1, the word "immediately," and inserting the following: "January first, A. D. nineteen hundred."

Amendment adopted.

Assembly Bill No. 194 ordered to print, engrossment, and third reading.

Assembly Bill No. 86—An Act to appropriate seventeen thousand five hundred (17,500) dollars for the furnishing of the Administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and

grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate the money therefor, and provide for the expenditure of the same.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the words and figures "seventeen thousand five hundred (\$17,500)," on line one of the title, page 1, printed bill, and inserting in lieu thereof the words "thirteen thousand."

Amendment adopted.

AMENDMENT No. 2.

Amend title by striking out all after the word "hospital" on line 4 of title, to and including the word "same," on line 7 of title.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out all after the word "hospital," on line 6, Section 1, page 1, printed bill, to and including the word "same," on line 9, Section 1, page 2, printed bill.

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the words "seventeen thousand five hundred" on line 3, Section 1, page 1, printed bill, and inserting in lieu thereof the following: "thirteen thousand."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the words "six thousand five hundred and ten" on line 12, Section 1, page 2, printed bill, and inserting in lieu thereof the following: "five thousand."

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out all of line 15 after the word "hospital" and all of lines 16, 17, and 18.

Amendment adopted.

Assembly Bill No. 86 ordered to print, engrossment, and third reading.

Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Mr. Cowan moved to amend as follows:

Amend by striking out of Section 7, line 1, the word "immediately," and inserting in lieu thereof the following: "January first, A. D. nineteen hundred."

Amendment adopted.

Assembly Bill No. 191 ordered to print, engrossment, and third reading.

Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Mr. Cowan moved to amend as follows:

Amend by striking out of Section 1, line 3, the words "thirty thousand," and inserting the following: "eight thousand five hundred."

Amendment adopted.

Also: Amend by striking out Sections 2, 3, 4, 5, and 6, printed bill.

Amendment adopted.

Also: Amend by striking out of Section 8, line 1, the word "immediately," and inserting the following: "January first, A. D. nineteen hundred."

Amendment adopted.

Assembly Bill No. 192 ordered to print, engrossment, and third reading.

Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

The following committee amendments were submitted:

Amend by inserting the words "or so much thereof as may be necessary," in line 3, Section 1, page 1, printed bill, after the word "dollars."

Amendment adopted.

Also: Amend by striking out the words "from and after its passage," on line 1, Section 4, page 1, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Mr. Caminetti moved to amend as follows:

Amend by striking out of Section 4, line 1, the words "its passage," and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 367 ordered to print, engrossment, and third reading.

Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the word "thirty," on line 1, page 1, printed bill, and inserting in lieu thereof the following: "twenty."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the words "the library building and," on lines 8 and 9, page 1, printed bill.

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out the word "immediately" in Section 3, page 1, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 63 ordered to print, engrossment, and third reading.

Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

The following committee amendment was submitted:

Amend Section 3, printed bill, to read: "This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 924 ordered to print, engrossment, and third reading.

Assembly Bill No. 933—An Act making an appropriation of \$15,000

for the opening and construction of a bitumen street, granite curb, and cement sidewalks through Capitol Park, on Thirteenth Street from L to N streets.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the words "opening and" in line 3, Section 1, printed bill, strike out all the balance of said section, and insert in lieu thereof the following: "grading and constructing a bituminous pavement, granite curbs and cement sidewalks on Thirteenth Street, through the Capitol Park, in the City of Sacramento, from L Street to N Street, and the State Controller is hereby authorized to draw his warrant in favor of the Board of State Capitol Commissioners for said amount. All expenditures incurred under this Act are first to be approved and allowed by the State Board of Examiners."

Amendment adopted.

AMENDMENT No. 2.

Amend line 1, of Section 2, by striking out the word "immediately," in the printed bill, and inserting in lieu thereof the words "January first, nineteen hundred "

Amendment adopted.

Assembly Bill No. 933 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1899

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 551—An Act to create a commission for the purpose of examining, testing at actual elections by public trial, and purchase of voting machines, and reporting to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation; providing for punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions relative to voting by machine instead of by ballot, and appropriating money for expenses, salaries, rents, advertising, employments, purchases, etc., accruing by reason of the powers conferred upon the commission.

Also, Senate Bill No. 206—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 197—An Act authorizing the Board of Trustees of the State Normal School at Chico to construct and furnish an addition to the State Normal School building at said place, and appropriating money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 852—An Act to establish a uniform standard of weights and measures; to divide the State into districts, and to provide for the appointment of inspectors for such districts, and to define their duties; to fix the rates of charges; to fix penalties for violations of this Act; to make an appropriation to carry out certain provisions of this Act, and to repeal conflicting Acts.

Also: Assembly Bill No. 56—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VALENTINE, Chairman.

Assembly Bills Nos. 551, 92, 463, 197, 852, and 56 ordered on second-reading file.

Senate Bill No. 206 ordered on Senate special file.

ADJOURNMENT.

At nine o'clock and fifty-five minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Monday, March 6, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 6, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—75.

Quorum present.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Saturday's Journal, the further reading was dispensed with, on motion of Mr. Wade.

The Journal of Friday, March 3, 1899, was read and approved.

LEAVE OF ABSENCE.

Mr. McDonald of Alameda was granted leave of absence for the day, on motion of Mr. Atherton.

Mr. La Barea was granted leave of absence for the day, on motion of Mr. Radcliff.

Mr. Cowan was granted leave of absence for the day, on motion of Mr. Miller of San Francisco.

Mr. De Lancie was granted leave of absence for the day, on motion of Mr. Robinson.

Mr. Greenwell was granted leave of absence for Monday, Tuesday, and Wednesday, on motion of Mr. Mead.

MOTIONS.

Mr. Mead moved to reconsider the vote whereby Assembly Constitutional Amendment No. 19 was adopted, and further moved to lay the motion to reconsider on the table.

Motion carried, and it was so ordered.

REPORTS OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354 $\frac{1}{4}$, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon, any cask, keg, bottle, vessel, siphon, can, or other package.

Also: Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Also: Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof—report the same back, and recommend their passage.

JOHNSON, Chairman.

Assembly Bills Nos. 1001, 1002, and 1003 ordered on second-reading file.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 487—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653 $\frac{1}{4}$, relating to the fees charged by employment agencies—report the same back, and recommend that it do pass.

Also: Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, etc.—report the same back, with recommendation of majority that it do not pass; minority, that it do pass.

Also: Assembly Constitutional Amendment No. 21—Relative to exemption from taxation of bonds issued by the State of California.

Also: Senate Constitutional Amendment No. 14—Relative to amending Article XIII of the State Constitution.

Report the same back, and recommend that they be adopted.

Also: Senate Bill No. 146—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code relating to legal rates of interest—report the same back without recommendation.

Also: Assembly Bill No. 280—An Act to amend and reenact Sections 2, 8, 9, 10, 11, 14, 15, 16, 17, 19, 20, 21, and 23 of an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893, as amended by an Act entitled "An Act to amend Sections 2, 6, 11, 15, 17, and 18 of an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds,'" approved March 9, 1895—report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 454—An Act to amend Section 3196 of the Political Code, relating to the definition of trademarks.

Also: Assembly Bill No. 833—An Act to regulate the rate of interest charged by pawnbrokers.

Report the same back without recommendation.

JOHNSON, Chairman.

Senate Bills Nos. 487 and 146 and Senate Constitutional Amendment No. 14 ordered on Senate special file.

Assembly Bills Nos. 839, 454, and 833 ordered on second-reading file.

Assembly Constitutional Amendment No. 21 ordered on special file.

MOTIONS.

Mr. Rickard moved to reconsider the vote whereby Assembly Bill No. 994 was finally passed, and further moved to lay the motion to reconsider on the table.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354 $\frac{1}{4}$, making it a misdemeanor to

deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act to create and establish a State Board of Horticulture and appropriate money to pay the expenses thereof, approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof.

Read second time, ordered to engrossment and third reading.

BILLS MADE SPECIAL ORDERS.

Mr. Dibble moved that Assembly Bills Nos. 1001, 1002, and 1003 be made special orders for to-morrow.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 654—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be designated and numbered Section 1716.

Mr. Fairweather moved to refer Assembly Bill No. 654 to a select committee of one, with instructions to amend as follows:

Amend by striking out of Section 1, line 4, the words "or hereafter."

Motion carried, and it was so ordered.

Mr. Fairweather was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 654—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be designated and numbered Section 1716—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

FAIRWEATHER, Committee.

Report adopted.

Mr. Brown moved that a select committee of one be appointed to amend Assembly Bill No. 654 as follows:

Strike out all after the word "aforesaid," in line 42 of bill, to and including the word "thereof," in line 50.

Motion lost.

Assembly Bill No. 654 ordered to print and final passage.

RESOLUTION—(OUT OF ORDER).

By Mr. Rickard:

Resolved, That Assembly Bill No. 995—An Act to create and regulate public warehouses—be recalled from engrossment and sent to the printer for reprint, and that he be instructed to return it out of order.

Resolution adopted.

UNFINISHED BUSINESS—(RESUMED).

Consideration of Governor's veto to Assembly Bill No. 132—An Act to provide for the satisfaction of record of real property mortgages which have been foreclosed and the property covered thereby sold, and to provide for the form of such satisfaction.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Mr. Works—1.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Cosper, Crowder, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Henry, Huber, Jilson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McKeen, Mead, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, White, and Mr. Speaker—42.

Consideration of Governor's veto to Assembly Bill No. 113—An Act to amend Section 1050 of the Code of Civil Procedure of the State of California.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Mr. Boone—1.

NOES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Crowder, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Henry, Jilson, Knights, Knowland, Le Baron, Lardner, McKeen, Mead, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, White, Works, and Mr. Speaker—41.

Consideration of notice of motion to reconsider made by Mr. McKeen: Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Passed on file.

MOTION.

Mr. Dibble moved to correct the Journal of Saturday, March 4, page 17, after title to Senate Bill No. 72, by inserting the following:

Mr. Dibble moved the previous question on the passage of the bill.
So ordered.

UNFINISHED BUSINESS—(RESUMED).

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

In re Senate Bill No. 72, Mr. Dibble moved that the action of the Assembly in ordering previous question on the final passage of the bill be rescinded.

So ordered.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Mr. Merrill moved to amend as follows:

Amend Section 1 by striking out all of the wording from the word "be" in line 16, to and including the word "distance" in line 18, and substituting in lieu thereof the following: "provide with brakes to stop the same when required."

Mr. Dibble moved that the amendment be printed in the Journal, and follow the order on the bill.

So ordered.

Mr. O'Brien moved to amend as follows:

Amend by striking out after the word "that" in line 18, page 2, printed bill, down to and including the word "prescribe" in line 21, page 2, printed bill, and inserting in lieu thereof the following: "the Board of Supervisors of any county, or of any city and county, or the City Council, or other governing body of any city or other municipality shall prescribe by ordinance, order, or resolution, on the day this Act takes effect."

Mr. Dibble moved that the amendment be printed in the Journal, and follow the order on the bill; and further moved that the bill be restored to its proper place on the Senate special file.

Motion carried, and it was so ordered.

Consideration of Governor's veto to Assembly Bill No. 293—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None

NOES—Messrs. Atherton, Barry, Beecher, Blood, Boone, Boynton, Burnett, Cammetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Huber, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McKeen, Mead, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Wardell, White, Works, and Mr. Speaker—45.

Consideration of Governor's veto to Assembly Bill No. 287—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount and the time and manner of payment of, and making an appropriation to pay the salaries of the chief deputy clerk, and deputy clerks, and stenographer of the Clerk of the Supreme Court."

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Dibble, Fairweather, Feliz, Glenn, Henry, Huber, Kelley, Kelsey, Knights, Le Baron, Lardner, McKeen, Mead, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Raub, Raw, Rickard, Sanford, Eugene Sullivan, Wardell, Works, and Mr. Speaker—44.

Consideration of Governor's veto to Assembly Bill No. 288—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California, and providing for the appointment of a chief deputy clerk, five deputy clerks, and one stenographer of the Clerk of the Supreme Court."

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Dibble, Fairweather, Glenn, Henry, Huber, Jilson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Raub, Raw, Rickard, Eugene Sullivan, Wardell, White, Works, and Mr. Speaker—48.

RESOLUTION.

By Mr. Rickard:

Resolved, That the Committee on Engrossment and Enrollment be instructed to engross Assembly Bills Nos. 1001, 1002, and 1003 out of order.

Resolution adopted.

UNFINISHED BUSINESS—(RESUMED).

Consideration of Governor's veto to Assembly Bill No. 30—An Act to amend Sections 3579, 3586, 3589, 3590, 3591, and 3605 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2594, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2605, 2606, 2607, 2608, all relating to establishing of a Board of State Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, relating to the powers and duties of said Board of State Harbor Commissioners for the Bay of San Diego.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Messrs. Belshaw, Cargill, and Works—3.

NOES—Messrs. Atherton, Barry, Beecher, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Devoto, Dibble, Fairweather, Glenn, Griffin, Henry, Huber, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of San Francisco, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Wardell, White, and Mr. Speaker—44.

Consideration of Governor's veto to Assembly Bill No. 2—An Act to provide for the construction of a sewerage system at the State Prison at Folsom, and to make an appropriation therefor.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Crowder, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, Mead, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raw, Sanford, Eugene Sullivan, Wardell, White, Works, and Mr. Speaker—52.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 6, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 375

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 6, 1899. }

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 24, with my objections thereto:

The bill proposes to amend Section 1524 of the Penal Code, relating to the grounds upon which a search warrant can be issued, by adding to said section the following:

"4. When the property is a cask, keg, bottle, vessel, siphon, can, case, or other package, bearing printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon the duly filed trademark or name of the person by whom, or in whose behalf, the search warrant is applied for, in the possession of any person, except the owner thereof, with intent to sell, traffic in, or refill the same, or in the possession of another to whom such person shall have delivered it, with such intent, and without such owner's consent, or unless the same shall have been purchased from the owner thereof; in which case it may be taken on the warrant from such person, or from any place occupied by him, or under his control, or from the possession of the person to whom he may have delivered it."

This provision omits the necessary element of intent with which the selling, trafficking, or refilling is done, and would give the right of search in cases of mere innocent user of casks, kegs, bottles, vessels, siphons, cans, cases, or other packages. It is, in fact, subject to the same objections specified in my former message of date February 23, 1899, disapproving Assembly Bill No. 23.

HENRY T. GAGE,
Governor of the State of California.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelsey, Kennecally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Sanford, Eugene Sullivan, White, Works, and Mr. Speaker—53.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 6, 1899. }

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 25, with my objections thereto:

Assembly Bill No. 24 having been heretofore disapproved, and this bill being supplemental thereto, and a reference being made in this Assembly Bill No. 25 to the fourth subdivision of Section 1524 of the Penal Code, and there being no such subdivision of such section as the law now stands, I am, therefore, compelled to disapprove of the present bill.

HENRY T. GAGE,
Governor of the State of California.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs. Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Crowley, Dale, Devoto, Dibble, Fairweather,

Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, White, Works, and Mr. Speaker—52.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Ways and Means submit herewith their report for the week ending Saturday, March 4, 1899:

Bills Referred to this Committee Since Last Report.

Feb. 27, Assembly Bill No. 566—To provide for the appointment of a Board of Colton Hall Property.....	\$3,000 00
27, Assembly Bill No. 924—Claim of C. W. King.....	300 00
27, Assembly Bill No. 950—Improvements and repairs State Normal School, San José.....	5,000 50
27, Assembly Bill No. 959—Claim of Morris Brooke.....	183 50
27, Assembly Bill No. 215—Claim of Julius A. Holt.....	2,500 00
27, Senate Bill No. 75—Claim of J. W. Sibole.....	675 00
27, Assembly Bill No. 981—Claim of Bancroft, Whitney & Co.....	1,150 00
27, Assembly Bill No. 982—Claim of C. A. Williams.....	132 18
27, Assembly Bill No. 983—Claim of Scott Calhoun.....	200 00
27, Assembly Bill No. 984—Claim of M. G. Barrett.....	21 50
27, Senate Bill No. 227—To pay the unpaid claims for bounty on coyote scalps.....	287,615 00
27, Assembly Bill No. 499—For erection of a State building in San Francisco.....	300,000 00
28, Assembly Bill No. 933—For street through Capitol Park.....	15,000 00
14, Assembly Bill No. 812—For the purpose of sending an expert to Eastern cities of the United States to collect and gather information concerning the transportation and sale of deciduous fruits from the State of California.....	5,000 00
Mar. 1, Assembly Bill No. 197—To construct and furnish an addition to the State Normal School at Chico.....	15,000 00
1, Assembly Bill No. 394—To transfer from General Fund to the Oakland Harbor Improvement Fund.....	250,000 00
1, Assembly Bill No. 846—Claim of J. E. Atkinson.....	15,000 00
3, Senate Bill No. 206—For completion of main building Home for Feeble-Minded Children.....	37,500 00
3, Assembly Bill No. 852—To establish a uniform standard of weights and measures.....	1,000 00
3, Senate Bill No. 300—For improvements at Napa State Hospital.....	75,000 00
4, Senate Bill No. 16—Claim of Lawrence Stevens.....	1,000 00
4, Senate Bill No. 56—For improvements at Deaf, Dumb, and Blind Asylum.....	14,000 00
4, Senate Bill No. 421—Claim of A. G. Lafferty.....	600 00
4, Senate Bill No. 463—Claim of L. E. Eastin.....	180 00
4, Senate Bill No. 475—Claim of J. W. Newberry.....	10,000 00
4, Senate Bill No. 614—Claim of the Liverpool and London and Globe Insurance Company.....	3,600 00
4, Senate Bill No. 671—Claim of Hugo Duveneck.....	1,622 13
	<hr/>
	\$1,045,279 36

Bills Reported Favorably.

Mar. 2, Assembly Bill No. 407.....	\$200 00
1, Assembly Bill No. 624.....	30,000 00
1, Assembly Bill No. 625.....	5,000 00
2, Assembly Bill No. 734.....	3,400 00
2, Assembly Bill No. 747.....	150 00
2, Assembly Bill No. 766.....	150 00
2, Assembly Bill No. 777.....	1,164 00
4, Assembly Bill No. 92.....	30,000 00
2, Assembly Bill No. 784.....	100 00
2, Assembly Bill No. 785.....	100 00
2, Assembly Bill No. 790.....	400 00
2, Assembly Bill No. 795.....	125 00
2, Assembly Bill No. 799.....	50 00
2, Assembly Bill No. 801.....	175 00
2, Assembly Bill No. 803.....	150 00
2, Assembly Bill No. 809.....	175 00
2, Assembly Bill No. 811.....	1,600 00
2, Assembly Bill No. 822.....	180 00

Mar. 2, Assembly Bill No. 828	\$300 00
2, Assembly Bill No. 876	300 00
2, Assembly Bill No. 836	600 00
2, Assembly Bill No. 840	250 00
2, Assembly Bill No. 842	150 00
2, Assembly Bill No. 856	350 00
2, Assembly Bill No. 863	125 00
2, Assembly Bill No. 864	1,000 00
2, Assembly Bill No. 865	1,000 00
2, Assembly Bill No. 872	100 00
2, Assembly Bill No. 881	175 00
2, Assembly Bill No. 885	300 00
2, Assembly Bill No. 886	65 00
2, Assembly Bill No. 890	150 00
2, Assembly Bill No. 891	120 00
2, Assembly Bill No. 900	175 00
2, Assembly Bill No. 903	75 00
2, Assembly Bill No. 904	150 00
Feb. 28, Assembly Bill No. 905	10,000 00
Mar. 2, Assembly Bill No. 906	250 00
Feb. 28, Assembly Bill No. 938	63,000 00
Mar. 2, Assembly Bill No. 875	300 00
2, Assembly Bill No. 915	135 00
Feb. 28, Assembly Bill No. 946	223 00
Mar. 2, Assembly Bill No. 958	225 00
Feb. 28, Assembly Bill No. 977	900 00
28, Assembly Bill No. 924	5,000 00
28, Assembly Bill No. 566	3,000 00
28, Assembly Bill No. 950	5,000 00
28, Senate Bill No. 215	2,500 00
28, Assembly Bill No. 933	15,000 00
Mar. 4, Assembly Bill No. 197	15,000 00
2, Assembly Bill No. 394	100,000 00
2, Assembly Bill No. 846	15,000 00
4, Assembly Bill No. 852	1,000 00
3, Senate Bill No. 300	50,000 00
4, Assembly Bill No. 55	14,000 00
4, Assembly Bill No. 463	180 00

\$379,217 00

Bills Reported Unfavorably.

Feb. 28, Senate Bill No. 232	\$8,000 00
28, Assembly Bill No. 370	8,000 00
28, Assembly Bill No. 931	3,131 00
28, Assembly Bill No. 439	1,125 00
Mar. 4, Assembly Bill No. 551	25,150 00
Feb. 28, Assembly Bill No. 924	300 00
28, Assembly Bill No. 812	5,000 00
Mar. 4, Senate Bill No. 206	37,500 00

\$39,206 00

Bills Reported Without Recommendation.

Mar. 2, Assembly Bill No. 848	\$100 00
2, Assembly Bill No. 918	150 00
2, Assembly Bill No. 929	150 00
2, Assembly Bill No. 934	150 00
2, Assembly Bill No. 968	150 00
2, Assembly Bill No. 969	100 00
2, Assembly Bill No. 974	114 00
Feb. 28, Senate Bill No. 29	100,000 00
28, Senate Bill No. 227	287,615 00

\$388,529 00

Bills Withdrawn.

Feb. 28, Assembly Bill No. 394	\$250,000 00
28, Assembly Bill No. 846	15,000 00

\$265,000 00

Recapitulation.

Total appropriations referred to this committee to date	\$5,478,288 67
Total appropriations reported favorably	2,208,401 28
Total appropriations reported unfavorably	575,332 00
Total appropriations referred to other committees	403,845 00

Total appropriations reported without recommendation.....	\$543,029 00
Total appropriations reported with recommendation that they be with- drawn.....	791,542 05
Total appropriations remaining in the hands of this committee.....	951,139 34

Respectfully submitted.

VALENTINE, Chairman.

Report ordered printed in the Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes, and additional class-rooms at the State Normal School at San José, and to provide for furnishing, equipment, and heating and ventilation apparatus therefor, and making appropriation for the same, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 424 ordered on second-reading file.

CORRECTION OF JOURNAL.

Mr. Brown moved to correct the Journal of Saturday, March 4, on page 7, to show that he voted for Assembly Constitutional Amendment No. 19.

So ordered.

At eleven o'clock and forty-five minutes A. M., the Speaker called Mr. Wade to the chair.

SUSPENSION OF RULES.

Mr. Valentine moved that the rules be suspended, and that Assembly Bill No. 424 be now considered.

So ordered.

Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional class-rooms at the State Normal School at San José, and to provide for furnishing, equipment, heating, and ventilation apparatus therefor, and making appropriation for the same.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with Mr. Wade in the chair, for the purpose of considering Assembly Bill No. 424.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 424 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional class-rooms at the State Normal School at San José, and to provide for furnishing, equipment, heating, and ventilation apparatus therefor, and making appropriation for the same—and do now report the same back, with amendments, and recommend that the same do pass as amended.

WADE, Chairman.

Report adopted.

Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional class-rooms at the State

Normal School at San José, and to provide for furnishing, equipment, heating, and ventilation apparatus therefor, and making appropriation for the same.

The following committee amendment was submitted:

Amend by striking out of Section 3 the words "its passage," and inserting the following: "January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 424 ordered to print, reëngrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolutions:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$682 10, in favor of W. O. Banks, Sergeant-at-Arms of Assembly, to pay for articles as per attached vouchers:

Hale Bros.	\$1 00
Sacramento Planing Mill.....	41 75
Buffalo Ice Company.....	18 75
John Breuner.....	30 00
W. O. Banks.....	6 00
United Typewriter and Supplies Company.....	34 00
United Typewriter and Supplies Company.....	6 00
F. M. Jones.....	3 50
H. S. Crocker & Co.....	230 00
Capital Transfer Company.....	2 25
John Breuner.....	105 75
John Breuner.....	113 50
Capital Water Company.....	26 00
Capital Electric Works.....	63 60
Total.....	\$682 10

Also:

Resolved, That the sum of \$46 is hereby ordered to be paid to the Chief Clerk of the Assembly for the purpose of paying the bill of D. Johnston & Co., as per bill hereto attached, for necessary stationery furnished the Chief Clerk for the use of the Assembly, and the Controller is hereby directed to draw his warrant for said sum in favor of the Chief Clerk; and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

January 3—To stationery.....\$46 00

Also:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of C. W. Kyle, Chief Clerk of the Assembly, for the sum of \$140, for the purpose of paying for postage, telegraphing, rubber stamps, rubber stamp utensils, and expressage during the present session of the Assembly. And the State Treasurer is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

VALENTINE, Chairman

Report and resolutions adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Rickard:

Resolved, That the motion by which Assembly Bill No. 995 was withdrawn from engrossment be reconsidered, and that Assembly Bill No. 995 be ordered to retain its place in engrossment.

Resolution adopted.

SPECIAL FILE.

Mr. Caminetti moved that all Assembly constitutional amendments be passed on file and retain place on file.

So ordered.

Assembly Bill No. 951—An Act to enable all counties, incorporated towns or cities, or consolidated counties and cities of this State, to use automatic voting or ballot machines at all elections therein.

Passed on file.

Assembly Bill No. 935—An Act relating to boards of election, and their compensation.

Passed on file.

Assembly Bill No. 815—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

Passed on file.

Assembly Bill No. 647 (Substitute for Assembly Bill No. 341)—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Withdrawn by author.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1899.

MR. SPEAKER: Your Committee on Mileage, to whom was referred a report and resolution of Committee on State Hospitals and Asylums, as follows:

“ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1899.

“MR. SPEAKER: Your Committee on State Hospitals and Asylums, having been heretofore, by resolution of the Assembly, authorized and directed to visit the Stockton Insane Asylum, beg to report that we have visited said asylum, and that the following members of the Assembly are entitled to the sums set opposite their respective names, to wit:

Crowly	\$9 60
Meserve	9 60
Cargill	9 60
La Barea	9 60
Marvin	9 60
Cowan	9 60
Wardell	9 60
Mead	9 60
Dunlap	9 60
Wade	9 60

And we ask the adoption of the following resolution:

“Resolved, That the State Controller be and is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of Owen Wade, chairman of said committee, for the sum of \$96 to pay said mileage, and the State Treasurer is hereby directed to pay the same out of the fund for the payment of the contingent expenses of the Assembly

“WADE, Chairman.”

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GREENWELL, Chairman

Report and resolution adopted.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 12—An Act to repeal an Act entitled “An Act to promote the purity of elections by regulating the conduct thereof, and

to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Passed on file.

Assembly Constitutional Amendment No. 22—Relative to the regulation of charges of telephone corporations.

Passed on file.

MOTION.

Mr. Belshaw moved that the Assembly take up Senate messages.
So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 155—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Also: Assembly Bill No. 352—An Act relating to the disposition of moneys belonging to deceased inmates of public institutions supported in whole or in part by State aid and under the control of boards appointed by the Governor.

Also: Adopted Senate Joint Resolution No. 22.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 155—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Read first time, and ordered on Senate special file, there being an identical Assembly bill.

Assembly Bill No. 352—An Act relating to the disposition of money belonging to deceased inmates of public institutions supported in whole or in part by State aid and under the control of boards appointed by the Governor.

Ordered to enrollment.

Senate Joint Resolution No. 22 referred to Committee on Federal Relations.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 6, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Stratton, Taylor, Trout, and Wolfe—33.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Grishn, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Santord, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—74.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, March 4, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, March 4, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Burnett, Hoey, Laird, Shortridge, Simpson, and Wolfe—6.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Nutt, and Trout—5.

For Irving M. Scott—Senator Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senator Ashe, Braunhart, Curtin, Doty, La Rue, Prisk, and Sims—7.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	30
W. H. L. Barnes received	7 votes.
D. M. Burns received	6 votes.
U. S. Grant, Jr., received	5 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	7 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1

For D. M. Burns—Messrs Arnerich, Barry, Beecher, Cobb, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—16.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, Huber, Le Baron, Marvin, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—18.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Stephen M. White—Messrs. Boone, Caminetti, Feliz, Glenn, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15

For James D. Phelan—Messrs. Burnett, Fairweather, and Hoey—3.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	71
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	16 votes.
U. S. Grant, Jr., received	18 votes
Irving M. Scott received	2 votes.
Stephen M. White received	15 votes.
James D. Phelan received	3 votes.
John Rosenfeld received	1 vote

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	101
Necessary to a choice	51
W. H. L. Barnes received	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	22 votes.
U. S. Grant, Jr., received	23 votes.
Irving M. Scott received	5 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	22 votes.
James D. Phelan received	4 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-four minutes P. M., Senator Cutter moved to adjourn until Tuesday, March 7, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, March 7, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Belshaw, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos 1001, 1002, 1003, and 253.

Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to issuing of a search warrant.

Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriating money to pay the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof.

Assembly Bill No. 253—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego.

RICKARD, Chairman.

Assembly Bills Nos. 1001, 1002, 1003, and 253 ordered on third-reading file.

SENATE SPECIAL FILE.

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Passed on file.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Passed on file.

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Passed on file.

Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens

Passed on file.

Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collector, and other employes, and providing for the manner of their appointment, and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed three hundred dollars, or imprisonment not

exceeding one hundred days as a punishment therefor, and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine of not less than one hundred dollars and not more than five hundred dollars, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than twenty dollars, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger, or other employé of the board, a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than one hundred dollars, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive, or allow to be received, on such vessel or car, any such part of its cargo or load, and providing a punishment of a fine not exceeding five hundred dollars, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Chynoweth, Clark, Clough, Cosper, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Valentine, Wright, and Mr. Speaker—50.

NOES—Messrs. Boone, Burnett, Caminetti, Conrey, Fehz, Sanford, Wade, and Wardell—8

Title read and approved.

Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Passed on file.

RESOLUTION—(OUT OF ORDER).

By Mr. Johnson:

Resolved, That the Senate be and it is hereby requested to return to this House Senate Bill No. 127, for the purpose of correcting Assembly amendments to said bill, and that this resolution be transmitted to the Senate at once.

Resolution adopted.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 134 (Substituted for Assembly Bill No. 737)—An Act authorizing school districts managed by Boards of Education or Directors to establish and maintain day schools for the deaf, and authorizing payment therefor from the State Common School Fund.

Read third time.

Mr. Mead moved that the bill be temporarily passed.

Motion lost.

Mr. Mead moved to recommit the bill to the Committee on Education, with instructions to amend so that money apportioned to deaf schools shall be taken from the State School Fund, instead of from share of each county.

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Belshaw, Blood, Boynton, Brown, Burnett, Crowly, Devoto, Dibble, Fairweather, Glenn, Henry, Hoey, Huber, Johnson, Lundquist, Mack, Mead, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, E. D. Sullivan, Valentine, Wardell, and White—27.

NOES—Messrs. Barry, Beecher, Bliss, Boone, Brooke, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Dunlap, Feliz, Hanley, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Merritt, Meserve, Miller of San Francisco, Muenther, Pierce, Radcliff, Raw, Robinson, Stewart, Eugene Sullivan, Wade, Wright, and Mr. Speaker—40.

NOTICE OF MOTION TO RECONSIDER.

Mr. Conrey gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 134 was this day refused final passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 22—Relative to forest reserves—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

DALE, Chairman.

SENATE JOINT RESOLUTION No. 22.

WHEREAS, Owing to the light rainfall to date in this State in many of the counties in which stock-raising is being carried on, there is such a scarcity of water and grass as will result in great loss of stock in said counties; and

WHEREAS, The Stanislaus, Mariposa, and Sequoia forest reserves will afford a large amount of pasturage for stock and without injury to the trees thereon; therefore, be it

Resolved, That we earnestly request his Excellency the President of the United States, and the Honorable Secretary of the Interior, to permit the owners of cattle, horses, and sheep to pasture the same within said Stanislaus, Mariposa, and Sequoia forest reserves during the year 1899; and

Resolved, That a copy of this resolution be by the Secretary of the Senate immediately transmitted by wire to the Hon. Marion De Vries, Washington, D. C.

The committee offered the following amendment:

Amend by inserting the word "Sierra" after the word "Stanislaus," in line 1 of the second whereas.

Amendment adopted.

Senate Joint Resolution No. 22, as amended, adopted

Mr. Dibble moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received your communication, requesting the return to your honorable body of Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall, thoroughfare, and belt-line railroad of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for

the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—and, in accordance with your request, said bill is herewith returned.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall, thoroughfare, and belt-line railroad of the harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Crowder, Crowley, Devoto, Dibble, Fairweather, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, F. D. Sullivan, Wade, White, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled: Assembly Joint Resolution No. 7 and Assembly Bills Nos 373, 607, 914, 5, 651, and 182.

Assembly Joint Resolution No 7—Relative to irrigation in San Joaquin Valley.

Assembly Bill No 373—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds

Assembly Bill No. 607 (Substitute for Assembly Bill No. 74)—An Act to protect domestic livestock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor.

Assembly Bill No. 914—An Act to add a new section to the Political Code, to be known and numbered as Section 540, creating the State Printing Fund, authorizing its use, and prescribing the duties of the Superintendent of State Printing, Controller, and Treasurer in connection therewith, all relating to State printing

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Assembly Bill No. 651—An Act to authorize the Governor to appoint agents to collect from the United States the money advanced by the State of California for the benefit of the United States in aiding the State volunteers mustered into the service of the United States during the Rebellion, and allowing them compensation therefor, if successful.

Assembly Bill No 182—An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners, approved March 4, 1881 (Statutes 1881, p 26), relating to assessing and collecting said taxes.

And were presented to the Governor March 6, 1899. at three o'clock and ten minutes P. M.

RICKARD, Chairman.

MOTION.

Mr. Mead moved that when the Assembly again consider the Senate special file, it begin at the place where it finished to-day.

So ordered.

At three o'clock and thirty minutes P. M., the Speaker called Mr. Belshaw to the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 27—An Act amending the Civil Code of the State of California by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State of its property and franchises, or any part thereof, to any other railroad company, whether organized under the laws of this State or of any other State or Territory, or under any Act of Congress, and prescribing the conditions and penalties under which such property and franchises so sold may thereafter be operated and used—report the same back, and recommend that it do pass.

JOHNSON, Chairman.

Senate Bill No. 27 ordered on Senate special file.

SPECIAL ORDER.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No. 996.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 996 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years—and do now report progress, and recommend that the committee be allowed to sit again.

BELSHAW, Chairman.

Report adopted.

Mr. Valentine moved that Assembly Bill No. 996 be made special order for to-morrow, immediately after consideration of Senate special file.
So ordered.

RECESS.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock P. M.
Speaker Anderson in the chair.

UNFINISHED BUSINESS ON FILE OF WAYS AND MEANS APPROPRIATION BILLS.

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year.

Passed on file.

Assembly Bill No. 342—An Act to provide for an investigation by the University of California into the rainfall and water supply of the State, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to coöperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Lardner, Lundquist, Mack, Mead, Melick, Meserve, Miller of San Francisco, Muentner, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and White—42

NOES—Messrs. Knowland, McKeen, and Mr. Speaker—3.

Title read and approved.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cosper, Crowley, Dibble, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Lardner, Lundquist, McKeen, Mead, Melick, Miller of San Francisco, Muentner, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—42.

NOES—Messrs. Dale, Knowland, and Meserve—3.

Title read and approved.

Assembly Bill No. 31—An Act appropriating the sum of \$2,000 for the painting and repairing of the State Normal School buildings at San José, California.

Withdrawn by author.

Mr. Stewart was granted unanimous consent to substitute Assembly Bill No. 877 for Assembly Bill No. 620—An Act to provide for the construction of a free wagon road from the Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Boone, Boynton, Brooke, Brown, Caminetti, Clough, Cobb, Cosper, Crowley, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Mack, McKeen, Mead, Melick, Meserve, Miller of San Francisco, Muentner, Pierce, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Mr. Speaker—43.

NOES—Messrs. Dale and Wade—2.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Rickard:

Resolved, That the Committee on Engrossment and Enrollment be instructed to report the bills now in their hands out of order.

Resolution adopted.

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending roll call, Mr. Arnerich moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Belshaw, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cosper, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lardner, Mack, McKeen, Mead, Melick, Meserve, Miller of San Francisco, Muenter, Pierce, Rickard, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, Wright, and Mr. Speaker—48.

Mr. Melick moved that further proceedings under call of the House be suspended.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Conrey, Crowder, Crowley, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Kelley, Kelsey, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of San Francisco, Muenter, Pierce, Rickard, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—45.

Nays—Messrs. Belshaw, Clough, Cobb, Cosper, Dale, Henry, Kenneally, Knights, and Knowland—9.

Title read and approved.

Mr. Dibble moved that the time for the consideration of the Ways and Means Appropriation Bills be extended thirty minutes.

So ordered.

Mr. Belshaw moved that the report of Committee on Engrossment and Enrollment be printed in the Journal without reading.

So ordered.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of State Hospitals for the Insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

RICKARD, Chairman.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Constitutional Amendment No. 13—Relative to amending Section 12 of Article XIII of the Constitution, relating to poll-tax.

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Assembly Bill No. 567—An Act to provide for the formation of new counties, and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new formed counties and the counties from which they are formed.

Assembly Bill No. 153—An Act fixing and defining a miner's inch of water.

Assembly Bill No. 496—An Act to amend Section 1369 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen, of such veteran volunteer firemen.

Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes, for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase livestock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Assembly Bill No. 699—An Act making an appropriation to pay the claim of John J. Snyder, for costs of suit in foreclosing delinquent purchasers of State school lands.

Assembly Bill No. 658—An Act to prevent the use of paranzella or dragnets in the waters of this State.

Assembly Bill No. 502—An Act to amend Sections 338, 339, and 341 of the Penal Code, and to add two new sections thereto, to be known and designated as Sections 344 and 345, relating to pawnbrokers.

Assembly Bill No. 518—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Assembly Bill No. 312—An Act to amend Section 3107 of the Political Code, relating to the laying out and dedicating of cemeteries on public lands.

Assembly Bill No. 263—An Act authorizing the location and sale of mining claims upon the public lands of this State.

Assembly Bill No. 896—An Act to repeal an Act entitled "An Act to encourage and provide for a general vaccination in the State of California," approved February 20, 1889.

Assembly Bill No. 311—An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Ziegler, Christina Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased; Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue, in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade, and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain portions of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1878.

Assembly Bill No. 810—An Act to establish uniform rates to be charged for telephone instruments and telephone service in this State, and declaring a penalty for the violation of the provisions thereof.

Assembly Bill No. 960—An Act regulating rates of passenger transportation within the State of California, and providing a penalty for the violation thereof.

Assembly Bill No. 961—An Act to regulate the operation of sleeping-cars within the State of California, and providing a penalty for the violation thereof.

Assembly Bill No. 631—An Act to prohibit the collection of deposits or payments by gas companies, corporations, or persons supplying gas, as a condition to supplying of gas and providing a penalty therefor.

Assembly Bill No. 978—An Act to add a new section to the Penal Code, relating to a penalty for smoking cigarettes in any building, wharf, or other structure belonging to any city, county, city and county, or other municipality of the State of California.

Assembly Bill No. 386—An Act to add a new section to the Civil Code of the State of California, to be known and designated as Section 2973, relating to the sale of personal property when the title thereof is reserved in the vendor until it is paid for.

Assembly Bill No. 941—An Act to amend Section 165 of the Penal Code of this State.

Assembly Bill No. 842—An Act to amend the Political Code by adding a new section to be known as and numbered 308, relating to the printing of legislative bills.

Assembly Bill No. 535—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Assembly Bill No. 327—An Act to amend Sections 1797 and 1798 of the Code of Civil Procedure of the State of California, relating to guardians and wards.

Assembly Bill No. 937—An Act to amend Section 11 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers."

Assembly Bill No. 979—An Act to prohibit treating, and providing a penalty therefor.

Assembly Bill No. 649—An Act to amend subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller

Assembly Bill No. 952—An Act to provide for the appointment of a State Quarantine Officer by the State Board of Health, and to abolish the office of Quarantine Officer to the Board of Health for the City and County of San Francisco

Assembly Bill No. 908—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Assembly Bill No. 680—An Act to amend Sections 537, 538, and 539 of the Code of Civil Procedure, relating to attachments.

Assembly Bill No. 867—An Act adding a new section to the Penal Code, to be known as Section 402, in relation to the running at large of hogs.

Assembly Bill No. 381—An Act regulating fraternal beneficiary corporations.

Assembly Bill No. 970—An Act to amend an Act relating to life, health, accident and annuity or endowment insurance on the assessment plan, approved March 19, 1891

Assembly Bill No. 532—An Act to amend an Act entitled "An Act to authorize the State Board of Harbor Commissioners to establish and maintain a free public market upon the waterfront of San Francisco, and providing for the expenses and regulations thereof," approved March 29, 1897.

Assembly Bill No. 916—An Act to amend an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities," etc., approved March 9, 1885

Assembly Bill No. 591—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages.

Assembly Bill No. 430—An Act to provide for the establishment and maintenance of public libraries.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895

Assembly Bill No. 693—An Act making an appropriation to pay the claim of Wells, Fargo & Co., for express charges contracted by the Commission for the Revision of the Codes during the forty-eighth fiscal year.

Assembly Bill No. 494—An Act to pay the claim of H. G. Smith, for services rendered as porter of the Assembly at the thirty-second session of the Legislature.

Assembly Bill No. 199—An Act to establish a branch State Normal School in Calaveras County, and making an appropriation therefor.

Assembly Bill No. 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln, in Golden Gate Park, in the City and County of San Francisco.

Assembly Bill No. 931—An Act making an appropriation to pay the claim of R. B. Young, for materials, labor, and insurance premiums paid in the construction and erection of the Whittier State School

Assembly Bill No. 812—An Act appropriating \$500 for the purpose of sending an expert to Eastern cities of the United States to collect and gather information concerning the transportation and sale of deciduous fruits from the State of California.

Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School of San Diego, for mileage in attending the meetings of the Joint Board of Normal School Trustees held at San José in June, 1897; at Los Angeles in April, 1898, and at Sacramento in September, 1898.

Assembly Bill No. 977—An Act to appropriate money for the purpose of erecting a monument over the grave of the late Levi Rackliffe, Treasurer of State, in the State Burial Ground

Assembly Bill No. 886—An Act to appropriate money to pay the Oakland Enquirer Publishing Company, for printing 1,000 copies of reports of the California Voting Machine Commission, performed under contract with C. B. Morgan, secretary of said commission.

Assembly Bill No. 939—An Act to appropriate \$1,125 to pay the unpaid salary of the late Dennis Spencer, as Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco from July 15, 1895, until and including November 30, 1895

Assembly Bill No. 943—An Act to establish a restaurant and barbershop, with baths attached thereto, in the basement of the State Capitol building at Sacramento, and appropriating the sum of \$5,000 therefor.

Assembly Bill No. 711—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Assembly Bill No. 871—An Act to appropriate the sum of \$13,000 for the purpose of establishing an electric light plant in the Yosemite Valley.

Assembly Bill No. 195—An Act to provide for the erection and equipment of a com-

missary building at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 590—An Act to establish a Bureau of Records of the War of the Rebellion, the National Guard of California, the Spanish-American war, and the preservation of military records and relics, and authorizing the Adjutant-General to appoint a chief of such bureau, and fixing the amount of his salary.

Assembly Bill No. 766—An Act making an appropriation to pay the claim of Louise Rienzi for services rendered the State Board of Silk Culture as instructress and silk expert.

Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor.

Assembly Bill No. 830—An Act to provide for the payment of the claim of George H. Stewart, and making an appropriation therefor.

Assembly Bill No. 778—An Act to provide for the payment of the claim of B. A. Johnson for a balance due on supplies furnished the National Guard, and making an appropriation therefor.

Assembly Bill No. 604—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackhffe.

Assembly Bill No. 667—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

Assembly Bill No. 666—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth fiscal year.

Assembly Bill No. 663—An Act making an appropriation to pay the claim of C.W. Spring & Son.

Assembly Bill No. 558—An Act making an appropriation for a concrete floor in the basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Assembly Bill No. 625—An Act making an appropriation for \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk and suitable fenceings along California and Park streets in the City of Stockton, around the lands occupied by the State Hospital.

RICKARD, Chairman.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 573—An Act to pay the claim of the survivors of Ida Morrill Smith, Violet Evelyn Smith and Ida Bernice Smith.

Passed on file, but to retain place.

Assembly Bill No. 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Brooke, Brown, Burnett, Chynoweth, Clark, Clough, Cobb, Conrey, Crowley, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Hoer, Huber, Kelley, Kelsey, Kennecally, Knights, Knowland, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Merritt, Milice, Muenter, Pierce, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wright, and Mr. Speaker—44.

NOES—Messrs. Belshaw, Boynton, Cargill, Crowder, Dale, Feliz, Jilson, Le Baron, Lardner, Meserve, Miller of San Francisco, Wade, and Wardell—13.

Title read and approved.

Assembly Bill No. 105—An Act for the relief of district agricultural associations or district agricultural societies, and appropriating the sum of \$75,000 for such purposes.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Crowder, Crowley, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kennecally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Merritt,

Milice, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, and Wardell—46.

NOES—Messrs. Belshaw, Conrey, Dale, Feliz, Lardner, Melick, Meserve, Robinson, and Mr. Speaker—9

Title read and approved.

Assembly Bill No. 78—An Act to pay the claim of the Methodist Episcopal Church of Dutch Flat, and the trustees thereof, against the State of California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 459—An Act to amend Section 2440 of the Political Code of the State of California, approved March 12, 1872, relating to the appointment of Pilot Commissioners for San Francisco, Mare Island, and Benicia.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Boone, Boynton, Brooke, Brown, Chynoweth, Clark, Cobb, Cospier, Crowder, Crowley, Dale, Dibble, Dunlap, Feliz, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, Pierce, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—54.

NOES—Messrs. Caminetti, Clough, and Conrey—3.

Title read and approved.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cospier, Crowder, Crowley, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Muentner, Pierce, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 239—An Act to amend Section 516 of the Civil Code of the State of California, relative to rates of toll to be posted at gate.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cospier, Crowder, Crowley, Dale, Dibble, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Pierce, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 505—An Act to provide for the employment of the needy unemployed, and of vagrants under sentence.

Mr. Mead moved that Assembly Bill No. 505 (65 on file) and Assembly bill No. 464 (115 on file) be transposed on file.

So ordered.

Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate, and the effect of such certificate.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Clough, Cosper, Crowder, Crowley, Dibble, Dunlap, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of San Francisco, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—48.

NOES—Mr. Conrey—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Hanley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 464 was this day finally passed.

Assembly Bill No. 343—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Stricken from the file.

Mr. Dunlap moved that Assembly Bill No. 765 be now considered.

So ordered.

Assembly Bill No. 765—An Act to amend an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, extending the time during which the Board of Directors may sit as a Board of Equalization.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clough, Conrey, Crowder, Crowley, Dale, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of San Francisco, Muentner, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 346—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlements of accounts of trustees after distribution of estates, and to compensation of trustees.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caninetti, Cargill, Clough, Crowder, Crowley, Dale, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne,

McKeen, Mead, Melick, Meserve, Milice, Miller of San Francisco, Muentner, Pierce, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 569—An Act to amend Section 602 of the Penal Code of the State of California, and to add a new subdivision thereto, to be known as subdivision 8, making it a misdemeanor for animals to trespass upon property of another.

Mr. Griffin moved that he be permitted to transpose Assembly Bill No. 727 (138 on file) for Assembly Bill No. 569 (68 on file).

So ordered.

Assembly Bill No. 727—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Crowder, Crowley, Dunlap, Glenn, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelsey, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, Pierce, Raub, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—42.

NOES—Messrs. Dibble, Hoey, Kenneally, Knowland, and McKeen—5.

Title read approved.

Assembly Bill No. 613—An Act requiring hotel and lodging-house keepers to keep ropes in sleeping-rooms to facilitate escape in case of fire.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Conrey, Crowder, Crowley, Dibble, Dunlap, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kenneally, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, and Mr. Speaker—49.

NOES—None.

Title read and approved.

At nine o'clock and fifty-five minutes P. M., the Speaker called Mr. Johnson to the chair.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Conrey, Cosper, Crowder, Dunlap, Feliz, Glenn, Griffin, Johnson, Knights, Le Baron, Lardner, Mack, Melick, Merritt, Meserve, Milice, Pierce, Raub, Robinson, Sanford, Wade, and White—31.

NOES—Messrs. Barry, Boynton, Crowley, Henry, Hoey, Huber, Kenneally, Lundquist, McKeen, Miller of San Francisco, Rickard, and Eugene Sullivan—12.

NOTICE OF MOTION TO RECONSIDER.

Mr. Huber gave notice that on next legislative day he would move to reconsider the vote by which Assembly Bill No. 283 was refused final passage.

Assembly Bill No. 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Brooke, Cosper, Crowder, Crowley, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Marvin, McKeen, Miller of San Francisco, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Wardell, and White—22.

NOES—Messrs. Blood, Boone, Boynton, Brown, Burnett, Cargill, Clark, Clough, Cobb, Dibble, Feliz, Glenn, Le Baron, Lundquist, Mack, Melick, Merritt, Meserve, Milice, Sanford, Stewart, and Wade—22.

NOTICE OF MOTION TO RECONSIDER.

Mr. Cobb gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 119 was refused final passage.

MOTION.

Mr. Arnerich moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.

Also: Senate Bill No. 228—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego, California.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 228—An Act appropriating \$80,000 to complete and equip the building now being constructed for the use of the State Normal School at San Diego, California.

Read first time, and ordered on Senate special file, it being identical with Assembly Bill No. 253.

Assembly Bill No. 253 withdrawn by author.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand pipes, tanks, filter, and lay pipes in the Capitol grounds, and making an appropriation therefor.

Also: Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Also: Amended, and passed as amended, Assembly Bill No. 4—An Act to create an Exempt Firemen's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen

Also: Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell for legal services.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills 617 and 245 ordered to enrollment.

Assembly Bill No. 4 ordered on unfinished business file.

Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received your communication requesting the return to your honorable body, for correction of Assembly amendments to Senate Bill No. 127—An Act to repeal an Act entitled "An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes," approved February 23, 1893—and in accordance with your request said bill is herewith returned.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Ordered on unfinished business file.

RESOLUTION—(OUT OF ORDER).

By Mr. Arnerich:

Resolved, That the Superintendent of State Printing is hereby directed to print out of its regular order, as amended, Assembly Bill No. 654—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be designated and numbered Section 1716.

So ordered.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Dibble, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, March 7, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 7, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowly, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice,

Miller of Los Angeles, Muller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—76

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wright.

The Journal of Saturday, March 4, 1899, was read and approved.

Mr. Dibble moved to reconsider the vote whereby the Journal of February 21, 1899, was approved.

Motion carried, and it was so ordered.

Mr. Dibble moved to correct the Journal by inserting after the title to Assembly Bill No. 353 the following:

Read third time.

Motion carried, and it was so ordered.

Journal, as corrected, approved.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1899

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 715—An Act to amend Sections 307 and 312 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof.

Also: Assembly Bill No. 716—An Act to amend Sections 332 and 342 of the Civil Code, relative to assessments and the sale of the stock of corporations.

Also: Assembly Bill No. 717—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatever.

Have had the same under consideration, and respectfully report the same back, and recommend that author be allowed to withdraw the same.

RAUB, Chairman.

Assembly Bills Nos. 715, 716, and 717 ordered on second-reading file.

Mr. Dibble moved to take up and reconsider the report of committee of free conference, wherein it was indefinitely postponed.

Motion carried.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations have the honor to report that they have held a joint conference with the Senate Committee on Rules and Revision with respect to the action of the Assembly on Assembly Bill No. 118.

It was contended by the Committee on Rules and Revision of the Senate that the action of the Assembly in postponing indefinitely the report of the Conference Committee on Assembly Bill No. 118 (the conference having been ordered by each house) was unparliamentary, and tended to deprive the Senate of its parliamentary right to recede from the amendments introduced in that body, and thereby to defeat the bill.

Your committee are of the opinion that the action of the House in indefinitely postponing the conference report, as aforesaid, was unparliamentary.

Your committee therefore recommend that the action of the House in postponing indefinitely the report of the Conference Committee on Assembly Bill No. 118 be reconsidered; that the Assembly conferees on said bill be discharged from further consideration of the bill; that the Senate be informed that a free conference is desired, and that free conferees be appointed by the Speaker.

DIBBLE, Chairman.

Mr. Dibble moved that the report be adopted.

So ordered.

RESOLUTION.

By Mr. Radcliff:

WHEREAS, In the early part of this session of the Assembly a resolution was introduced by the Hon. Grove L. Johnson, and referred to the Committee on Commissions and Public Expenditures, to report to this body what public commissions could be abolished, in accordance with the views expressed in Governor Gage's inaugural address; and

WHEREAS, This committee has failed to so act up to date; therefore, be it
Resolved, That the Committee on Commissions and Public Expenditures be instructed to forthwith make a report in accordance to the demands made by said resolution.

Resolution adopted.

RECONSIDERATION.

Mr. Conrey moved to reconsider the vote whereby Senate Bill No. 134 was on yesterday refused final passage.

Mr. Knowland moved to lay the motion to reconsider on the table.

Motion carried, and it was so ordered.

Mr. Hanley moved to reconsider the vote whereby Assembly Bill No. 464 was on yesterday finally passed, and further moved to lay the motion to reconsider on the table.

Motion carried, and it was so ordered.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker announced the appointment of the following committee of free conference *in re* Assembly Bill No. 118: Messrs. Wade, Blood, and White.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 182—An Act authorizing municipalities of less than the first class to obtain, by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Board of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAW, Chairman.

Senate Bill No. 182 ordered on Senate special file.

SPECIAL ORDERS.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,'" approved March 31, 1897, relating to the classification of counties into agricultural districts.

Passed on file.

Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Kelley, Kenneally, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Clark, Cobb, Crowder, Dale, Dibble, Fairweather, Feliz, Hanley, Hoey, Huber, Jilson, Johnson, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, E. D. Sullivan, Valentine, Wardell, White, and Mr. Speaker—46.

NOES—Messrs. Chynoweth and Conrey—2.

Title read and approved.

Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act to create and establish a State Board of Horticulture and appropriate money to pay the expenses thereof, approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Clark, Cobb, Crowder, Dibble, Fairweather, Feliz, Griffin, Hoey, Jilson, Johnson, Kenneally, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—44.

NOES—Mr. Dale—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed. Assembly Bills Nos. 995, 455, and 839.

Assembly Bill No. 995—An Act to create and regulate public warehouses.

Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, etc.

RICKARD, Chairman.

Assembly Bills Nos. 995, 455, and 839 ordered on third-reading file.

MOTION.

Mr. Dibble moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1899.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 44 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1899

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita, but increasing said appropriation in the aggregate—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary

Assembly Bill No. 353—An Act to amend an Act entitled "An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893, reducing the amount of such appropriation per capita, but increasing said appropriation in the aggregate.

Mr. Dibble moved that the Assembly concur in the following Senate amendments to Assembly Bill No. 353:

Strike out of Section 1, line 20, the word "fifty-five," and insert the word "forty-five."
Also: Strike out of the last line of the title "but increasing said appropriation in the aggregate"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Burnett, Caminetti, Cargill, Clark, Cobb, Cosper, Crowder, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Hocy, Johnson, Kelley, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—49

NOES—None.

Assembly Bill No. 353 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1899

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 302—An Act to create a special fund to be known as the "State Débris Construction Fund," and to transfer from the General Fund to such State Débris Construction Fund the sum of \$250,000

Also: Senate Bill No. 438—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the administration and disposition of the assets of a deceased copartner.

Also: Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Senate Bill No. 662—An Act to amend Section 1416 of the Civil Code, relative to water rights.

Also Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 302—An Act to create a special fund to be known as the "State Débris Construction Fund," and to transfer from the General Fund to such State Débris Construction Fund the sum of \$250,000.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 438—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the administration and disposition of the assets of a deceased copartner.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Assembly Bill No. 566 withdrawn by the author.

Senate Bill No. 662—An Act to amend Section 1416 of the Civil Code, relative to water rights.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Read first time, and ordered on Senate special file, it being identical with Assembly Bill No. 530.

Assembly Bill No. 530 withdrawn by author.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 723—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature.

Also: Senate Bill No. 359—An Act to regulate the practice of architecture.

J. F. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 359—An Act to regulate the practice of architecture.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 723—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature.

Read first time.

RESOLUTION—(CASE OF URGENCY).

By Mr. Valentine:

Resolved, That Senate Bill No. 723 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the suspension of the provision of the Constitution requiring bills to be read on three several days.

The roll was called, and the provision of the Constitution suspended by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Cosper, Crowder, Devoto,

Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr Speaker—59.
NAYS—None.

Senate Bill No. 723—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 723.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 723 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 723—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 723—An Act making an appropriation for the contingent expenses of the Senate for the thirty-third session of the Legislature.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—60.

NAYS—None

Title read and approved.

Mr. Valentine moved that Senate Bill No. 723 be immediately transmitted to the Senate.

So ordered.

RECONSIDERATION OF VOTE.

Mr. Cobb moved to reconsider the vote whereby Assembly Bill No. 119 was on yesterday refused final passage.

The roll was called.

Pending roll call, Mr. Cobb moved a call of the House.

So ordered.

Mr. Cobb moved that further proceedings under call of the House be dispensed with.

So ordered.

The motion to reconsider was carried by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, McKeen, Milce, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—50

NOES—Messrs. Atherton, Belshaw, Boone, Cargill, Chynoweth, Conrey, Glenn, Lardner, Marvin, McDonald of Alameda, Miller of Los Angeles, Raw, Sanford, and Mr. Speaker—14

Mr. Cobb moved that further consideration of Assembly Bill No. 119 be continued under the head of unfinished business.

So ordered.

LEAVE OF ABSENCE.

Mr. Works was granted leave of absence for two days, on motion of Mr. Crowder.

REPORT OF STANDING COMMITTEES.

Mr. Dibble called up for consideration the following report and resolutions:

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

Resolved, That the following named persons be elected by the Assembly to fill the respective positions herein named for the remainder of the thirty-third session of the Legislature of the State of California: John Kofod, Porter to Sergeant-at-Arms, at \$3 per day from February 24, 1899; R. J. Kady, Rear Porter, at \$3 per day from February 16, 1899; and that they be paid out of the Contingent Fund of the Assembly.

Also:

Resolved, That the following named persons be elected by the Assembly to fill the positions of Pages for the remainder of the thirty-third session of the Legislature of the State of California: Ralph Schluer, as Page, at \$2 50 per day, from February 1, 1899; Emmet Rhodes, as Page, at \$2 50 per day, from February 1, 1899; and that they be paid out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that the services of the above named persons be retained, and that the above resolutions be adopted.

LUNDQUIST, Chairman.

The question being on the adoption of the resolutions.

The roll was called, and the resolutions adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—67.

NOES—None

RESOLUTIONS.

By Mr. Arnerich:

Resolved, That Lloyd Childs be and he is hereby appointed clerk of the Committee on Counties and County Boundaries, said appointment to date from and including February 1, 1899.

That the per diem for said services be paid out of the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant therefor, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Henry:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to

pay the same, for the sum of \$566 65 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for the articles as per attached summary:

Jan. 28—Tom Scott	\$42 15	
Feb. 9—Tom Scott	7 30	
18—Tom Scott	36 95	
Mar. 1—Tom Scott	17 40	
		\$103 80
Feb. 6—United Typewriter and Supply Company	\$34 00	
6—United Typewriter and Supply Company	34 00	
6—United Typewriter and Supply Company	9 00	
14—United Typewriter and Supply Company	2 30	
16—United Typewriter and Supply Company	1 15	
		80 45
Feb. 23—John Breuner	\$28 25	
Mar. 4—John Breuner	5 50	
		33 75
Feb. 20—Buffalo Ice Company	\$20 00	
Mar. 4—Buffalo Ice Company	20 00	
		40 00
Feb. 14—H. S. Crocker Co	\$73 50	
27—Hale Bros.	4 50	
Mar. 7—Washing towels	12 00	
1—Frank M. Jones	3 50	
		93 50
Feb. 14—Sacramento Planing Mill	\$3 75	
28—Sacramento Planing Mill	40 00	
28—Sacramento Planing Mill	11 50	
		55 25
Jan. 14—Sunset Telephone Co.	\$3 30	
Feb. 1—Sunset Telephone Co	6 00	
		9 30
16—Hevener, Mier & Co.	\$64 30	
15—Capital Transfer Co.	1 75	
		66 05
21—Frank M. Veach	\$16 10	
Jan. 12—W. F. Purnell	75	
7—Wyckoff, Seamans & Benedict	35 00	
23—Frank H. Wing	6 00	
23—J. L. Maude	3 05	
23—H. K. Wallace	25	
Mar. 7—Frank M. Jones	23 40	
		84 55
		\$566 65

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it at once be read a second time.

BOYNTON, Chairman

Report adopted.

Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

Read second time, and ordered to third reading.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 7, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunnhart, Bulla, Burnett, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, March 6, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, March 6, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunbart, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	37
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Eugene Sullivan, and Wright—17.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Feliz, Griffin, Hanley, Mack, Mead, Mescrve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—14.

For James D. Phelan—Messrs. Burnett, Fairweather, Glenn, and Hoey—4.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	74
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	17 votes.
U. S. Grant, Jr., received	19 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	14 votes.
James D. Phelan received	4 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	111
Necessary to a choice	56
W. H. L. Barnes received	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	25 votes.
U. S. Grant, Jr., received	26 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	24 votes.
James D. Phelan received	5 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-four minutes P. M., Assemblyman Radcliff moved to adjourn until Wednesday, March 8, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Wednesday, March 8, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Wright, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

THIRD-READING FILE.

Assembly Bill No. 300—An Act to provide for the purchase of land, the purchase of machinery, the construction of a dam, and other improvements by the managers of the Napa State Hospital at Napa, and appropriating money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Americh, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Conroy, Cosper, Dale, Dibble, Dunlap, Fairweather, Felz, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—49

NOES—None.

Title read and approved.

Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

Read third time.

Mr. Pierce moved that Senate Bill No. 320 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out of line 14, Section 1, the word "eighteen" and inserting in lieu thereof the words "twenty-five."

Also: Amend by adding to line 12, Section 3, the following: "This Act shall be construed as a renewal and continuation of the office of Commissioner of Public Works."

Motion carried, and it was so ordered.

Mr. Pierce was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and

powers, and fixing his compensation—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

PIERCE, Committee.

Report adopted.

Senate Bill No. 320 ordered to print, reëngrossment, and final passage.

Senate Bill No. 252—An Act to repeal an Act entitled “An Act authorizing the Controller to appoint an additional clerk in his office in addition to the number now allowed by law, to be known as the Revenue Clerk, and making an appropriation for the payment of his salary for the remainder of the forty-sixth fiscal year”; to create the office of Expert to the Controller, and prescribing his compensation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Clark, Cobb, Conrey, Gosper, Dale, Dibble, Dunlap, Fairweather, Feliz, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, Lardner, Lundquist, Mack, Marvin, McDonald, of Tuolumne, McKeen, Merrill, Merritt, Milice, Muentner, Pierce, Raub, Rickard, Stewart, Eugene Sullivan, Valentine, and Wright—41.

NOES—Messrs. Glenn, Le Baron, Meserve, Radcliff, Sanford, Wade, and Mr. Speaker—7.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered by Mr. Wright:

Resolved, That the Senate be requested to return to the Assembly for correction Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collector and other employes, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board or employes, a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days, and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger, or other employe of the board, a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car, any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

Resolution adopted.

THIRD-READING FILE—(RESUMED).

Senate Bill No. 6—An Act to provide for certain improvements and repairs at the State Normal School at Los Angeles, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Conrey, Cosper, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Bill No. 536—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Conrey, Cosper, Crowder, Dale, Dibble, Fairweather, Feliz, Glenn, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—55.

NOES—Mr. Arnerich—1.

Title read and approved.

Senate Bill No. 277—An Act to ascertain and pay armory rents, armorers' wages, and other expenses arising out of the mustering in of portions of the National Guard and Naval Militia into the United States Volunteer service, in reorganizing the National Guard, and resulting therefrom, and making an appropriation to pay the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Clark, Clough, Cosper, Dale, Dibble, Dunlap, Feliz, Glenn, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 93—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 3748, 3758, and 3759 of said Political Code, and by repealing Sections 3762 of said Code, all relating to revenue and taxation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Caminetti, Cargill, Clark, Clough, Cosper, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Read third time.

Passed on file, pending final passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following regulation for the consideration of business on the several files:

"In all cases business shall be resumed on each file at the place at which the Assembly shall have left off at the last consideration of the file. It shall be the duty of the File Clerk to note at the head of each file the number of the bill first to be considered."

DIBBLE, Chairman.

Report adopted.

At three o'clock and thirty minutes P. M., the Speaker called Mr. Belshaw to the chair.

SPECIAL ORDER.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bill No. 996.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 996 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years—and do now report the same, with amendments, and recommend that the same do pass as amended.

BELSHAW, Chairman.

Report adopted.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Mr. Valentine moved to amend as follows:

Amend by striking out of line 40, Section 1, the word "one," and inserting the word "two."

Motion carried.

Also:

Amend Section 1, line 63, after the word "telegraphing," by inserting the word "traveling."

Motion carried.

Also:

Amend by striking out of Section 1, line 64, the word "three," and inserting the word "four."

Motion carried.

Also:

Amend Section 1, after line 119, by inserting the following: "for printing, binding, ruling, and all other work performed and materials furnished by the State Printing Office to the Secretary of State, one thousand two hundred dollars, to be used for the printing of constitutional amendments."

Motion carried.

Mr. Johnson moved to amend as follows:

Amend by striking out the word "two" in line 225, page 7, printed bill, and inserting in lieu thereof the word "four."

Motion carried.

Mr. Crowder moved to amend as follows:

Amend by adding after line 271, the following: "three thousand dollars of which sum shall be for the ship Marion, and the sum of two thousand dollars for the ship Pinta."

Motion carried.

Mr. Valentine moved to amend as follows:

Amend Section 1, after line 311, by inserting the following: "Traveling and contingent expenses of the Insurance Commissioner, two thousand dollars."

Motion carried.

Also:

Amend Section 1, after line 311, by inserting the following: "For printing, binding, ruling, and all other work performed and materials furnished by the State Printing Office to the Insurance Commissioner, one thousand five hundred dollars."

Motion carried.

Also:

Amend Section 1, after line 311, by inserting the following: "For printing, binding, ruling, and all other work performed and materials furnished by the State Printing Office to the Bank Commissioners, four thousand dollars."

Motion carried.

Also:

Amend Section 1, after line 311, by inserting the following: "For printing, binding, ruling, and all other work performed and materials furnished by the State Printing Office to the State Board of Harbor Commissioners, three thousand five hundred dollars."

Motion carried.

Also:

Amend by striking out of Section 1, lines 346 and 347.

Motion carried.

Mr. Dunlap moved to amend as follows:

Amend by striking out the word "three" in line 380, page 11, printed bill, and inserting in lieu thereof the word "thirteen."

RECESS.

Pending consideration of the amendment, at five o'clock and forty-five minutes P. M., on motion of Mr. Valentine the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M.
Speaker Anderson in the chair.

SPECIAL ORDER—(RESUMED).

In re consideration of Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Mr. Dunlap was granted unanimous consent to withdraw his amendment to Section 1, line 380.

Mr. Dunlap moved to amend as follows:

Amend by striking out of Section 1, line 380, the word "thirteen," and inserting in lieu thereof the word "nine."

Motion carried.

Mr. Valentine moved to amend as follows:

Amend by striking out of line 542, Section 1, the words "eight thousand," and inserting the words "ten thousand."

Motion carried.

Also:

Amend by striking out of Section 1, line 551, the word "seven," and inserting the word "five."

Motion carried.

Also:

Amend Section 1, after line 631, by inserting the following: "For rent of rooms for Hastings College of the Law, two thousand four hundred dollars."

Motion carried.

Mr. Caminetti moved to amend as follows:

Amend by adding to amendment inserted after line 643 the following: "Any violation of this proviso shall work a forfeiture of the said appropriation."

Motion carried.

Also:

Amend by striking out of Section 1, line 643, the period after the word "dollars," and inserting the following: "*and provided further*, that no game of chance, played with cards, dice, or any device, for money, checks, credit, drinks, cigars, or other representative of value, or for any object whatever, shall be permitted at the pavilion, or on the State fair grounds, or in any other place subject to the control of said society; *and provided further*, that poolselling on the trials of speed held under the auspices of the said society shall not be affected hereby."

Motion carried.

Also:

Amend by striking out of Section 1, line 736, the period and inserting after the word "contest" the following: "*and provided further*, that no game of chance played with cards, dice, or any device, for money, checks, credit, drinks, cigars, or other representative of value, or for any object whatever, shall be permitted at the pavilion or on the fair grounds, or in any other place subject to the control of any of said agricultural societies; *and provided further*, that poolselling on the trials of speed held under the auspices of said societies shall not be affected hereby."

Motion carried.

Mr. Johnson moved to amend as follows:

Amend by adding to Section 1, after line 736, page 21, printed bill, the words "for the work of repairing the basement of the State Capitol building so that the same can be

used as a restaurant, \$3,000, or so much as is necessary, to be expended under the direction of the State Board of Examiners; *and provided further*, that said board may, at its discretion, expend said amount in either the fifty-first or fifty-second fiscal year."

Motion carried.

Mr. Valentine moved to amend as follows:

Amend by striking out Section 3 and inserting the following: "All persons having demands against the State, the various State officers, and the officers of all institutions under the control of the State, except the Governor, to whom and for which appropriations other than salaries are made under the provisions of this Act, shall, with their biennial report, submit a detailed statement, under oath, of the manner in which all appropriations for their respective departments and institutions have been expended; and the State Board of Examiners is hereby expressly prohibited from allowing any demand payable out of such appropriations, until the same are presented in itemized form, accompanied by affidavit and voucher for money expended by them, stating specifically the service rendered, by whom performed, time employed, distance traveled, and necessary expense thereof; if for articles purchased, the name of each article, together with the price paid for each, and of whom purchased, with the date of the purchase. All bills and vouchers which shall be presented for supplies furnished, or services rendered, shall be original bills and vouchers of the parties furnishing supplies and rendering services; *provided*, that no officer shall use or appropriate any money for any purpose whatsoever appropriated by this Act unless authorized thereto by law."

Motion carried.

Mr. Caminetti moved to amend as follows:

Amend by adding to amendment inserted after line 736 the following: "Any violation of either of these provisos by any of said societies shall work a forfeiture of the appropriation made therefor."

Motion carried.

Mr. Valentine moved to amend as follows:

Amend Section 5, line 5, by inserting the word "unanimous" before the word "consent"

Also: Strike out of lines 6 and 7 the words "a majority of the members of said board," and insert the words "every member of said board."

Also: Add after the word "appropriations," in line 12, the following: "*provided*, that any member of any such department, board, commission, or institution who shall vote for any expenditure or create any indebtedness against the State in excess of the respective appropriations made by this Act, except by the unanimous consent of the State Board of Examiners and the certificate in this section provided for be first obtained, shall be liable on his official bond for the amount of such indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm or corporation, to whom such indebtedness is owing."

Motion carried.

Mr. Johnson moved to amend as follows:

Amend by adding to Section 6, page 22, printed bill, as follows: "and the pavilion of the State Agricultural Society."

Motion carried.

Assembly Bill No. 996 ordered to print, engrossment, and third reading.
Mr. Valentine moved that Assembly Bill No. 996 be made special order for to-morrow, immediately after consideration of the Senate special file.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS—(OUT OF ORDER)

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on State Hospitals and Asylums beg leave to report as follows:

On the afternoon of Saturday, February 25, 1899, they visited the Stockton State Hospital, and upon that evening and the following day made a thorough inspection of the institution in all of its details. The female department was found to be admirable, and the best of its kind in the State. Everywhere was apparent a cheerful and home-

like aspect, the patients cleanly and well clad and well fed, and everything seemed to be done to make their surroundings as pleasant and cheerful as possible.

The men's department was also found to be in good condition, but the furnishings in the old building are all old, worn-out, and inadequate. The carpets and furniture have been in use for many years, and show the results of long usage, and we would recommend that, as soon as possible, the managers take steps to refurnish this department of the institution.

The plan to purchase land for the farm in connection with the hospital is considered wise, and we are convinced that it would be for the best interests of the institution and the taxpayers of the State to make the purchase. A large number of patients can undoubtedly be worked with benefit to themselves on the farm and with advantage and profit to the hospital. We therefore warmly recommend this purchase to the managers.

We found the Board of Managers, officers, and employes of the institution thoroughly attentive to their duties and deeply interested in their work, and we were very much pleased by the interest shown on all sides. As at the Mendocino State Hospital, the employes are not uniformed, and we recommend that all employes, both male and female, be uniformed.

All of which is respectfully submitted.

WADE, Chairman.

ON COMMERCE AND NAVIGATION—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 879—An Act providing for accident and fire drills on all ferry-boats plying between San Francisco and other points

Also: Assembly Bill No. 880—An Act providing for accident and fire drills on all river boats plying between San Francisco and other points

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

KNOWLAND, Chairman.

Assembly Bills Nos. 879 and 880 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and secure the site, and submit sketch plans and specifications therefor; to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes looking to the confinement of incorrigibles at Folsom Prison; to enlarge said prison for that purpose and to the confinement of prisoners capable of reformation at such reformatory when established, and to make an appropriation for such purposes—has been correctly engrossed.

RICKARD, Chairman.

Assembly Bill No. 628 ordered to third reading.

ON WAYS AND MEANS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VALENTINE, Chairman.

Senate Bills Nos. 75 and 282 ordered on second-reading file.

ON JUDICIARY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors—report the same back with two amendments, and recommend its passage as amended.

Also: Senate Constitutional Amendment No. 9—Relative to the compensation of Supreme and Superior Court Judges—report the same back, and recommend that it do pass.

Also: Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California—report the same back with one amendment, and recommend its passage as amended.

Also: Senate Bill No. 63—An Act to amend Section 1227 of the Civil Code of the State of California—report the same back, and recommend that it do pass.

Also: Senate Constitutional Amendment No. 4—Proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be known and designated as Section 2½, Article II thereof, concerning primary elections.

Also: Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.

Also: Assembly Bill No. 425—An Act to prohibit the issuance or the use of trading stamps.

Also: Assembly Constitutional Amendment No. 25—Relative to the expression by ballot by the people of their preference for the office of United States Senator.

Also: Assembly Bill No. 676—An Act entitled an Act to amend Section 5 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of bonds thereof, and the determination of their validity, and making a provision for the payment of such bonds, and the disposal of their proceeds, and for empowering sanitary boards to provide in other respects for the good order and welfare of sanitary districts," approved March 31, 1891, amended March 9, 1893, amended March 26, 1895.

Report the same back; and recommend that they do pass.

JOHNSON, Chairman.

Mr. Johnson moved that the rules be suspended, and that the Senate bills that came in on committee reports to-day be considered.

So ordered.

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Read second time.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 282 and 75.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 282 and 75 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also: Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

And do now report the same with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof, the following:

"Appropriating money for the purchase and improvement of a water system at the Preston School of Industry, and making an appropriation therefor.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of seven thousand dollars, or so much thereof as may be necessary, for the purchase and improvement of a water system at the Preston School of Industry; *provided*, that before any money is expended upon a water system, a good and sufficient deed therefor must be made, conveying the title thereto in fee simple to the State of California, which deed must be filed with the Secretary of State; *provided*, that no expense shall be incurred, or plans or specifications acted upon, until the consent and approval of the Board of Examiners shall have been first had, *provided further*, that before any plans or specifications are approved for any portion of the work hereby authorized, proper examination and report of plans and specifications and estimate of expenses shall be obtained of the work that may be done with this appropriation.

"SEC. 2. The State Controller is hereby directed to draw his warrant in favor of the Board of Trustees of the Preston School of Industry for the amount appropriated by section one of this Act, and the State Treasurer is hereby directed to pay the same out of said appropriation.

"SEC. 3. All bills for purchase, improvements, repairs, and construction shall first be audited by the Board of Trustees of the Preston School of Industry, and approved by the State Board of Examiners before being paid.

"SEC. 4. All manual labor required in carrying out the provisions of this Act shall be performed by the inmates of said school.

"SEC. 5. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Senate Bill No. 282 ordered to print and third reading.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

The following committee amendments were submitted:

AMENDMENT NO. 1.

Amend by striking out of lines 1 and 2, Section 1, printed bill, the words "one thousand dollars, or so much thereof as may be necessary," and inserting in lieu thereof the words "six hundred and seventy-five dollars."

Amendment adopted.

AMENDMENT NO. 2.

Amend by striking out of Section 3, printed bill, the word "immediately" and inserting in lieu thereof the following: "from and after January first, nineteen hundred."

Amendment adopted.

AMENDMENT NO. 3.

Amend by striking out of line 4, Section 1, page 1, printed bill, the words "after the same has been approved by," and inserting in lieu thereof the following: "subject to the approval of."

Amendment adopted.

Senate Bill No. 75 ordered to print, engrossment, and third reading.

Senate Bill No. 63—An Act to amend Section 1227 of the Civil Code of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.

Read second time, and ordered to third reading.

Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Read second time.

The following committee amendments were submitted:

Amend by inserting after the word "clerk," in line 18, Section 1, page 2, printed bill, the words "in counties of the first class."

Amendment adopted.

Also: Amend by striking out the capital letter "S" in the word "such," in line 18, Section 1, page 2, printed bill, and inserting in lieu thereof a small "s."

Amendment adopted.

Senate Bill No. 202 ordered to print and third reading.

Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California.

Read second time.

The following committee amendment was submitted:

Amend by inserting after the word "maliciously," in line 4, Section 1, page 1, printed bill, the words "and unlawfully "

Amendment adopted.

Senate Bill No. 337 ordered to print and third reading.

Senate Bill 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

Read second time, and ordered to third reading.

Senate Bill No. 182—An Act authorizing cities and towns of the sixth class to obtain by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Board of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Read second time, and ordered to third reading.

LEAVE OF ABSENCE.

Mr. Sanford was granted leave of absence for the evening, on motion of Mr. Muentzer.

THIRD-READING FILE.

Assembly Bill No. 79—An Act to pay the claim of Thomas Flaridon against the State of California, and making an appropriation therefor.

Mr. Lardner moved that Assembly Bill No. 79 (334 on file) and Assembly Bill No. 950 (392 on file) be transposed on the file.

So ordered.

Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barry, Beecher, Blood, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Crowder, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen,

Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, and Mr. Speaker—51.

NOES—None.

Title read and approved.

SUSPENSION OF RULES.

Mr. Raw moved to suspend the rules for the purpose of further considering the Ways and Means file.

So ordered.

WAYS AND MEANS APPROPRIATION BILLS FILE.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Mr. Lardner moved that Assembly Bill No. 555 (335 on file) and Assembly Bill No. 455 (349 on file) be transposed on the file.

So ordered.

Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Knowland, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, Muentner, Raub, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, and Mr. Speaker—46.

NOES—Messrs. Dale, Le Baron, Marvin, Meserve, Miller of San Francisco, and Radcliff—6

Title read and approved.

Assembly Bill No. 618—An Act making an appropriation to pay the claim of the Office Specialty Manufacturing Company for metallic furniture furnished the Clerk of the Supreme Court at Sacramento.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Read third time.

Mr. Brooke moved that a select committee of one be appointed to amend Assembly Bill No. 212 as follows:

Amend by striking out in Section 4, line 2, the words "its passage," and inserting in lieu thereof the following: "the first day of January, nineteen hundred "

Motion carried, and it was so ordered.

Mr. Brooke was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BROOKE, Committee.

Report adopted.

Assembly Bill No. 212 ordered to print, reëngrossment, and final passage.

Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay.

Read third time.

Mr. Crowder moved to refer Assembly Bill No. 131 to a select committee of one, with instructions to amend as follows:

Amend by striking out the word "immediately" from line 1, Section 3, and inserting in lieu thereof the following: "January first, nineteen hundred."

Motion carried, and it was so ordered.

Mr. Crowder was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay—with instructions to amend, now reports that the instructions of the Assembly have been carried out

CROWDER, Committee.

Report adopted.

Assembly Bill No. 131 ordered to print, reëngrossment, and final passage.

RESOLUTION—(OUT OF ORDER).

By Mr. Valentine:

Resolved, That the State Printer be and he is hereby instructed to print Assembly Bill No. 996, as amended, out of order, and that the Committee on Engrossment and Enrollment report said bill to the House as soon thereafter as possible, and out of order.

Resolution adopted.

MOTION.

Mr. Dibble moved that the Assembly do now resume the regular order.
So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 585—An Act to amend Section 529 of the Code of Civil Procedure of the State of California, relating to injunctions, approved April 15, 1880.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Pierce, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, and Wade—47.

NOES—Mr. Speaker—1.

Title read and approved.

Assembly Bill No. 409—An Act to amend Section 592 of the Penal Code of the State of California.

Mr. Miller of San Francisco moved that Assembly Bill No. 409 (69 on file) and Assembly Bill No. 742 (81 on file) be transposed on the file.
So ordered.

Assembly Bill No. 742—An Act to amend Section 290 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to articles of incorporation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Cobb, Cosper, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Hoey, Johnson, Kenneally, Knowland, Le Baron, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Raw, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 410—An Act to add a new section to the Penal Code of the State of California.

Mr. Miller of Los Angeles moved that Assembly Bill No. 410 (70 on file) and Assembly Bill No. 995 (206 on file) be transposed on the file.
So ordered.

Assembly Bill No. 995—An Act to create and regulate public warehouses.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cosper, Dale, De Lancie, Dibble, Fairweather, Feliz, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and White—47.

NOES—Messrs. Conrey, Melick, and Mr. Speaker—3.

Title read and approved.

Assembly Bill No. 549—An Act to prohibit corporations doing a fire or marine, or fire and marine, insurance in this State, from advertising or publishing in this State any statement of capital not fully paid up in cash, or any assets not liable for losses in the United States, or of any assets not subject to the jurisdiction of the courts of the United States.

Mr. Mead moved that Assembly Bill No. 549 (71 on file) and Assembly Bill No. 305 (124 on file) be transposed on the file.

So ordered.

Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any or all moneys or assets for which such sureties are or may be held responsible.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Cargill, Conrey, Dibble, Fairweather, Feliz, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald

of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—45.

NOES—Mr. Clough—1.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 20.

Relative to an inquiry into the alleged servitude in Siberia of Ira Whitney and companions.

WHEREAS, Ira Whitney, a native of California, and a subject of the United States, in April, eighteen hundred and ninety-six, while engaged in hunting in Pacific waters along the Asiatic coast, was lost and believed to have perished; and

WHEREAS, It is reported that he and his companions are now in servitude in Siberia; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Hon. Henry T. Gage, Governor of the State of California, be requested to correspond with the Secretary of State of the United States, and that our Senators in Congress be requested to use their best endeavors with the Secretary of State, all to the end that the active agency of our Government, and of the diplomatic and consular service thereof, may be enlisted in ascertaining the truth with reference to said report, and in securing the release and return to their own country of the said Ira Whitney and his companions, if they yet survive.

Resolution read and adopted.

Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of the State Hospitals for the Insane, and to provide for the care, custody, and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

The question being on the final passage of the bill.

Pending roll call, Mr. Wade moved a call of the House.

So ordered.

CALL OF THE HOUSE.

The roll was ordered to be called.

Pending roll call, Mr. Mead moved that further proceedings under call of the House be suspended.

Motion lost.

The roll call was resumed.

Mr. Wade moved that further proceedings under call of the House be suspended.

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brown, Clough, Cobb, Conrey, Cospier, Dale, De Lancey, Dibble, Dunlap, Fairweather, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, and Wade—42.

NOES—Messrs. Brooke, Burnett, Caminetti, Fehz, Griffin, Hanley, Hoey, Mead, Melick, Meserve, Radcliff, White, and Mr. Speaker—13.

Title read and approved.

At ten o'clock and five minutes P. M., the Speaker called Mr. Cospier to the chair.

Assembly Bill No. 275—An Act to improve the public service of the State of California.

Mr. Johnson moved that Assembly Bill No. 275 (74 on file) and Assembly Bill No. 331 (99 on file) be transposed on the file.

So ordered.

Assembly Bill No. 331—An Act to amend Section 2653 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway taxes.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the final passage by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Hanley, Hoey, Johnson, Kelley, Kenneally, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Milce, Miller of Los Angeles, Pierce, Radcliff, Raub, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and Mr. Speaker—46

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 9—Relative to the election of United States Senators.

Mr. Brooke moved that Assembly Concurrent Resolution No. 9 (75 on file) and Assembly Bill No. 744 (166 on file) be transposed on the file.

So ordered.

Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of the State.

Read third time.

Mr. Johnson moved to refer Assembly Bill No. 744 to a select committee of one, with instructions to amend as follows:

Insert after the word "times," in line 21, Section 1, page 2, printed bill, as follows: "From and after the election and qualification of said trustees, said district shall be deemed organized and shall have power to sue and be sued."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of the State—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Assembly Bill No. 744 ordered to print, reëngrossment, and final passage.

Assembly Bill No. 577 (Substitute for Assembly Bill No. 225)—An Act to prevent the spread of cholera, glanders, farcy, anthrax, splenic or Texas fever, or any contagious or infectious diseases peculiar to domestic animals.

Mr. Pierce moved that Assembly Bill No. 577 (76 on file) and Assembly Bill No. 677 (168 on file) be transposed on the file.

So ordered.

Assembly Bill No. 677—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, poultry, grain, fruit, seeds, honey, or dairy produce.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Crowder, Crowly, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoge, Johnson, Kenneally, Knowland, Le Baron, Mack, Marvin, McKeen, Mead, Milice, Pierce, Radcliff, Raub, Raw, Robinson, Stewart, Valentine, and Wade—41.

NOES—Mr. Speaker—1.

Title read and approved.

Mr. Dibble moved that the Assembly do now consider messages from the Governor and messages from the Senate.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 7, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. one hundred and eighty-two (182) and nine hundred and fourteen (914).

HENRY T. GAGE,
Governor of the State of California.

At ten o'clock and fifteen minutes P. M., the Speaker resumed the chair.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Also: Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Also: Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Also: Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, at Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 159, 395, 349, and 347 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Also: Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Also: Refused passage to Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

And respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 322 and 274 ordered on unfinished-business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 358—An Act to create a commission for the purpose of

examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission

Also: Assembly Bill No. 644—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Also: Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872; and to repeal an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 9, 1887; and to repeal an Act entitled "An Act to amend Sections 1, 5, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889.

Also: Denied second reading to Assembly Bill No. 831—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein poolselling or bookmaking is carried on, except when said pools are sold or said bookmaking is carried on within the racetrack, enclosure, fair grounds, or buildings wherein such trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines shall be had and occur, and upon the days when such trials or contests actually occur or are had; and to provide a punishment for the violation of this Act.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 358—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission.

Read first time, and referred to Committee on Ways and Means.

Assembly Bills Nos. 644 and 611 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on February 18, 1899, passed Senate Bill No. 283 (case of urgency)—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Also: On March 6, 1899, passed Senate Bill No. 363—An Act to amend Section 2022 of the Political Code of California.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Read first time, and ordered on Senate special file.

Assembly Bill No. 367 withdrawn, being identical with Senate Bill No. 283.

Senate Bill No. 363—An Act to amend Section 2022 of the Political Code of California.

Ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 11—Relative to amending Joint Rule XXIII

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Concurrent Resolution No. 11 ordered on Senate special file.

MOTION.

Mr. Dibble moved that a message be sent to the Senate requesting the return of Senate Bill No. 54 for correction.

So ordered.

At ten o'clock and twenty minutes P. M., the Speaker called Mr. Dibble to the chair.

CONTEMPT PROCEEDINGS.

In re Geo. W. Ficks, who was arrested and brought before the bar of the House, charged with resisting and obstructing the Sergeant-at-Arms in the discharge of his duties. Mr. Ficks asked that he be allowed counsel.

Mr. Johnson moved that the prisoner be released on his own recognizance, and the matter postponed and made special order for to-morrow morning, immediately after reading the Journal.

Motion carried, and it was so ordered.

MOTION TO RECONSIDER POSTPONED.

Mr. McKeen moved that his motion to reconsider Senate Bill No. 414 be continued until to-morrow.

So ordered.

Mr. Crowder moved to reconsider the vote whereby Assembly Bill No. 283 was refused final passage, and further moved to postpone action until next legislative day.

So ordered.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, March 8, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 8, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Ramb, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

LEAVE OF ABSENCE.

Messrs. Hanley and Crowley were granted leave of absence for the day, on motion of Mr. Wardell.

Mr. Bliss was granted leave of absence for the day, on motion of Mr. Belshaw.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Kelsey.

The Journal of Monday, March 6, 1899, was read and approved.

Mr. Dibble moved that the vote whereby the Journal of Friday, March 3, 1899, was approved, be reconsidered.

Motion carried.

Mr. Dibble moved to correct the Journal of March 3, 1899, by inserting the following, on page 26, first above Senate Messages:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 3, 1899. }

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 257 and 420.

HENRY T. GAGE,
Governor of the State of California.

Motion carried.

The Journal of March 3, 1899, as corrected, was approved.

WITHDRAWAL OF BILLS.

Mr. Kelsey, the author, was granted leave to withdraw Assembly Bills Nos. 715, 716, and 717.

IN RE GEORGE W. FICKS—CONTEMPT PROCEEDINGS.

(George W. Ficks before the bar of the House.

RESOLUTION.

By Mr. Dibble:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899

Resolved, That the Speaker appoint a select committee of three to take testimony and report the facts in connection with the arrest of George W. Ficks, for interfering with the Sergeant-at-Arms and obstructing the process of the House; that the Speaker assign one of the official stenographers to report the testimony, and one of the committee clerks to act as clerk of said committee;

Resolved, That the committee be given power to send for persons and papers;

Resolved, That said committee be instructed to ascertain and report whether any member of the House advised or instructed said Ficks to interfere with or obstruct the process of the House in any way;

Resolved, That the committee be instructed to report on Friday next.

Mr. Dibble moved the adoption of the resolution.

Motion carried.

Mr. Dibble moved that the prisoner be released on his own recognizance, to appear before the bar of the House on notification of the Sergeant-at-Arms.

Motion carried.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the Committee on Investigation as follows: Messrs. Mack (chairman), Clough, and Eugene D. Sullivan; H. de Laguna, stenographer; J. L. Maude, clerk.

REPORT OF STANDING COMMITTEE.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 662—An Act to amend Section 1416 of the Civil Code, relative to water rights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman.

Senate Bill No. 662 ordered on Senate special file.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 722 (case of urgency)—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Also: Senate Bill No. 427—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Also: Senate Bill No. 464—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 722—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 427—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 464—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

Read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, in accordance with request contained in Assembly message for the return of Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment, and defining their duties and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto; and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment thereof of a fine of not less than \$100, and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf,

pier, quay, landing, thoroughfare, faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfhnger or other employé of the board a statement of the quantity of merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive, or allow to be received, on such vessel or car any such part of its cargo or load; and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required—it is herewith returned.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354½, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Also: Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to the issuing of search warrants.

Also: Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof.

Cases of urgency.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 1001, 1002, and 1003 ordered to enrollment.

SPECIAL ORDER.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 31, 1897," relating to the classification of counties into agricultural districts.

Passed on file.

UNFINISHED BUSINESS.

Assembly Bill No. 654—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be designated and numbered Section 1716.

Passed on file.

Consideration of notice of motion to reconsider made by Mr. McKeen.

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Passed on file.

Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Passed on file.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Passed on file.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 4:

Amend Section 3, line 4, page 2, by inserting after the word "fireman" the following words: "by reason of the performance of the duties of a fireman in such county, city and county, city, or town"

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Cosper, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, Melick, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Rickard, Robinson, Sanford, Wade, Wardell, and Mr. Speaker—47.

NOES—None.

Mr. Johnson moved that the Assembly do now non-concur in the following Senate amendment to Assembly Bill No. 4, and that a committee of conference be appointed, and the Senate be notified of the action of the Assembly and be requested to appoint a similar committee:

Amend by striking out of Section 4, lines 2 and 3, page 3, the words "containing a population of twenty thousand, or over (20,000 or over)," and inserting the following words: "of the first and second class."

Motion carried.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed the following committee of conference *in re* Assembly Bill No. 4: Messrs. Johnson, Kelley, and E. D. Sullivan.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Correction of Assembly amendments passed on file.

Assembly Bill No. 119—An Act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of California.

Pending final passage.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Brooke, Burnett, Caminetti, Cobb, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Knowland, La Barea, McKeen, Merrill, Miller of San Francisco, O'Brien, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Wright—31.

NOES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Chynoweth, Clark, Clough, Fairweather, Feliz, Glenn, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Melick, Meserve, Milce, Miller of Los Angeles, Radcliff, Raub, Sanford, Stewart, Wade, and Mr. Speaker—31.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Mr. Johnson moved that Senate Bill No. 127 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out the figures "1893," in line —, page —, printed bill, and inserting in lieu thereof the figures "1893."

Also: Amend the title so as to make it read as follows: "An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER. Your select committee of one, to whom was referred Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893—with instructions to amend, now reports that the instructions of the Assembly have been carried out

JOHNSON, Committee.

Report adopted.

Senate Bill No. 127 ordered to print and final passage.

Assembly Bill No. 322—An Act to amend Section 1350 of the Code of Civil Procedure of the State of California, relating to executors.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out all after the word "election," in line 12 of Section 1 of the amended bill, down to and including the word "election," in line 21 of Section 1, in said printed bill.

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Miller of San Francisco, Muentzer, O'Brien, Raub, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 322 ordered to reengrossment and enrollment

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed: Assembly Bill No. 654—An Act to amend the Civil Code of the State of California by adding a new section, to be designated and numbered Section 1716.

RICKARD, Chairman.

Assembly Bill No. 654 ordered on file for final passage.

Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Mr. Miller of San Francisco moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 1, page 1, printed bill, the parentheses in lines 4 and 5 of said sections, and all the words included therein.

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Brooke, Caminetti, Cargill, Chynoweth, Clark, Cowan, Dale, De Lancie, Devoto, Dibble, Fairweather, Feliz, Glenn, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—43.

NOES—Mr. Crowder—1.

Assembly Bill No. 439—An Act to amend Sections 3, 11, and 19 of "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893; said amendments relating to the treating, buying, or giving of any cigars, or intoxicating beverage, or any temperance beverage, to any person by a candidate for public office.

On motion of Mr. Caminetti, stricken from the file.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Mr. Huber moved to reconsider the vote whereby Assembly Bill No. 283 was refused final passage.

The roll was called, and the Assembly reconsidered by the following vote:

AYES—Messrs. Arnerich, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cosper, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Robinson, Valentine, and Wade—45.

NOES—Messrs. Atherton, Boone, Hoey, Marvin, and Eugene Sullivan—5.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cosper, Cowan, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, Pierce, Radcliff, Raub, Robinson, Eugene Sullivan, Valentine, Wade, and Wright—51.

NOES—Messrs. Atherton, Feliz, Hoey, O'Brien, and Rickard—5.

Title read and approved.

Mr. Wright moved to reconsider the vote whereby Senate Bill No. 22 was finally passed.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Atherton, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Cosper, Cowan, Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack,

McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—47.
NAYS—None.

Mr. Wright moved to refer Senate Bill No. 22 to a select committee of one, with instructions to amend as follows:

Amend by striking out of amended portion, line 3, Section 30½, the word "to," after the word "Oakland," and inserting in lieu thereof the word "of."

Motion carried, and it was so ordered.

Mr. Wright was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdictions, fixing their terms, salaries, and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employés, and providing for the manner of their appointment and defining their duties and fixing their tenure of office; providing for the disposition of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto, and making the disobedience of the rules and regulations of the board or employés a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days; as a punishment therefor, and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, thoroughfare, faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days; and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger or other employé of the board a statement of the quantity of the merchandise intended to be discharged; and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both; and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

WRIGHT, Committee.

Report adopted.

Senate Bill No. 22 ordered to print and final passage.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 352, 245, and 617.

Assembly Bill No. 352—An Act relating to the disposition of money belonging to deceased inmates of public institutions, supported in whole or in part by State aid, and under the control of boards appointed by the Governor.

Assembly Bill No. 245—An Act to amend Sections 354, 1489, and 1492 of the Political Code, relating to State Normal Schools.

Assembly Bill No. 617—An Act authorizing the Secretary of State to bore a well, furnish and set stand-pipes, tanks, filters, and lay pipes in the Capitol grounds.

And were presented to the Governor March 8, 1899, at eleven o'clock and ten minutes A. M.

RICKARD, Chairman.

At eleven o'clock and thirty-five minutes A. M., the Speaker called Mr. Wade to the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 24.

A resolution to add a new section to Article XIII of the Constitution, to be numbered Section 1½.

The Legislature of the State of California, at its thirty-third session, commencing on the second day of January, A. D. eighteen hundred and ninety-nine, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that a new section, to be numbered one and one half, be added to Article XIII of the Constitution of the State of California, to read as follows:

Section 1½. Land and the improvements thereon shall be exempt from taxation for State purposes.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Conrey, Cowan, Crowder, De Lancia, Devoto, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milce, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Wright—58.

NOES—Messrs. Belshaw, Boynton, Cobb, Cosper, Dale, Marvin, Merrill, Miller of Los Angeles, O'Brien; and Wade—10

Assembly Constitutional Amendment No. 24 ordered to engrossment.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 8, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of

Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, March 7, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, March 7, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Curtin and Prisk—2.

For John W. Hughes—Senators Ashe, Braunhart, Chapman, Doty, Dwyer, Langford, La Rue, Pace, and Sims—9.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	38
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	7 votes
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote
Stephen M. White received	2 votes:
John W. Hughes received	9 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Lundquist, McKeen, Miller of San Francisco, Pierce, and Eugene Sullivan—16

For U. S. Grant, Jr—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, and Raw—18.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Stephen M. White—Messrs. Feliz and Wardell—2.

For John W. Hughes—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Fairweather, Glenn, Griffin, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and White—17.

Whole number of votes cast by Assemblymen.....	72
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	16 votes.
U. S. Grant, Jr., received	18 votes.
Irving M. Scott received	3 votes.
Stephen M. White received	2 votes.
John W. Hughes received	17 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	110
Necessary to a choice	56
W. H. L. Barnes received	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	24 votes.
U. S. Grant, Jr., received	25 votes.
Irving M. Scott received	6 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	4 votes.
John W. Hughes received	26 votes.
James D. Phelan received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Assemblyman Dibble moved to adjourn until Thursday, March 9, 1899, at twelve o'clock M. Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, March 9, 1899.

· IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-six minutes P. M., on motion of Mr. Wright, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Knowland:

Resolved, That Senate Bill No. 105 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale,

De Lencie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Hoey, Huber, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, and Wright—58.
NOES—None.

Senate Bill No. 105—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts and Justices of the Peace.

Read second and third times.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lencie, Devoto, Dibble, Dunlap, Fairweather, Henry, Hoey, Huber, Johnson, Kennaally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, Wardell, White, and Wright—52.

NOES—Mr Melick—1.

Title read and approved.

SENATE SPECIAL FILE.

Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Blood, Brown, Burnett, Cowan, Crowder, Dale, De Lencie, Devoto, Dunlap, Fairweather, Henry, Hoey, Huber, Mack, McDonald of Alameda, Merritt, O'Brien, Sanford, Eugene Sullivan, E. D. Sullivan, Wardell, and White—23.

NOES—Messrs. Atherton, Boone, Boynton, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Cosper, Dibble, Feliz, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKeen, Merrill, Meserve, Miller of Los Angeles, Pierce, Raw, Rickard, Valentine, Wade, and Works—30.

NOTICE OF MOTION TO RECONSIDER.

Mr. Cosper gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 29 was this day refused final passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 986—An Act to provide for the payment of the salary of the secretary of the State Engineer for the fortieth, forty-first and forty-second fiscal years—have had the same under consideration, and respectfully report the same back without recommendation, and that it be referred to the Committee on Claims.

VALENTINE, Chairman.

Senate Bills Nos. 620 and 122 ordered on second-reading file.

Assembly Bill No. 986 referred to Committee on Claims.

SENATE SPECIAL FILE—(RESUMED).

Committee Substitute for Senate Bill No. 227—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Passed on file.

Senate Bill No. 215—An Act for the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained while in active service.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Cosper, Cowan, Dale, Devoto, Dibble, Feliz, Henry, Hoey, Johnson, Knights, Knowland, La Barea, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of Los Angeles, O'Brien, Radcliff, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Wright—45.

NOES—Messrs. Clough, Lardner, and Wade—3.

Title read and approved.

Senate Bill No. 324—An Act appropriating five thousand dollars (\$5,000) to pay the claim of Addie McGinness.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Brown, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Johnson, Knights, Knowland, La Barea, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Wright, and Mr. Speaker—52.

NOES—Messrs. Dale, Lardner, and Meserve—3.

Title read and approved.

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Passed on file.

Senate Bill No. 440 (Substitute for Assembly Bill No. 947)—An Act to repeal the whole of Title XV of Part IV of Division III of the Civil Code of the State of California, embracing Sections 3086 to 3262 of said Code, both inclusive, relating to negotiable instruments, and enacting in place thereof a new title, to be known as Title XV of Part IV of Division III of the Civil Code of the State of California, with new provisions in relation to negotiable instruments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Boone, Boynton, Brown, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Glenn, Griffin, Henry, Huber, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Wright—51.

NOES—None.

Title read and approved.

Senate Bill No. 80—An Act to add a new section to the Civil Code of the State of California, to be numbered 3443.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Cobb, Cosper, Cowan, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McKeen, Merrill, Miller of Los Angeles, O'Brien, Pierce, Raub, Stewart, Eugene Sullivan, Wright, and Mr. Speaker—45.
NAYS—Messrs. Blood, Burnett, Chynoweth, Clough, Conrey, Dale, McDonald of Tuolumne, Melick, E. D. Sullivan, and Wardell—10.

Title read and approved.

Senate Bill No. 68—An Act to amend Section 2 and Section 38 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, concerning changes in the grade of streets.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Chynoweth, Clark, Conrey, Cosper, Cowan, Dale, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Muentner, O'Brien, Radcliff, Rickard, Wade, Wright, and Mr. Speaker—45.
NAYS—None.

Title read and approved.

At three o'clock and twenty minutes P. M., the Speaker resumed the chair.

Senate Bill No. 206—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 206.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 206 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 206—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 206 ordered to third reading.

Senate Bill No. 695 (Substituted for Assembly Bill No. 60)—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed land, and validating sales and surveys heretofore made, approved March 24, 1893.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Barry, Beecher, Blood, Boone, Brooke, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Henry, Ilcey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Muentzer, O'Brien, Pierce, Raub, Raw, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

MOTION.

Mr. Caminetti moved that the order heretofore made referring Senate Bill No. 464 to the Committee on Education be revoked, and that the bill be recalled and placed on Senate special file, and that Assembly Bill No. 753 be withdrawn.

So ordered.

SPECIAL ORDER.

In re Milton J. Green, contempt proceedings.

COMMUNICATION.

MR. A. S. CROWDER, *Member of Assembly*.

DEAR SIR: Mr. M. J. Green has just now communicated with me by telephone, saying that his wife has been very ill for the last few days, and that she is now in a critical condition. That this renders it absolutely impossible for him to leave her to attend to the citation of the House for to-day. That owing to the excitement and worry attendant on his wife's illness, he has neglected to communicate these facts to the Speaker and the Assembly, until it is now too late to reach them before 3:30, and asks that you present the matter to the Assembly and for him beg their indulgence in granting him more time in which to appear as required, believing that in another week he can do so. He asks you at the same time to say that he feels deeply grateful for the consideration of his former requests for delay on account of his own illness and of his wife, as manifested by the House in its actions heretofore.

Yours in haste,

W. R. BACON.

Mr. Johnson moved that the matter be continued to three o'clock and thirty minutes p. m. of Monday next, and that the order heretofore made in said matter be continued.

Mr. Fairweather moved to amend Mr. Johnson's motion as follows:

Resolved, That the contempt proceedings against Milton J. Green be dismissed by this Assembly.

The question being on the adoption of the amendment.

The roll was called.

Pending roll call, Mr. O'Brien asked to be excused from voting.

Mr. Brooke moved that Mr. O'Brien be excused from voting.

Motion lost.

Mr. Johnson moved a call of the House.

CALL OF THE HOUSE.

The roll was called, and the following members were found present:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Barce, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—72.

Pending roll call, Mr. Crowder moved that further proceedings under call of the House be dispensed with.

Motion lost.

Mr. Brown moved that further proceedings under call of the House be suspended.

Motion lost.

Mr. Crowder moved that further proceedings under call of the House be dispensed with.

Motion lost.

Mr. Brown moved that further proceedings under call of the House be dispensed with.

Motion lost.

Mr. Johnson moved that further proceedings be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

The roll call was completed, and the Fairweather amendment lost by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Brown, Caminetti, Cargill, Chynoweth, Clark, Clough, Cowan, Crowder, Crowley, Dale, Dunlap, Fairweather, Glenn, Huber, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Muentner, Radcliff, Raub, Raw, E. D. Sullivan, and Wardell—34.

NOES—Messrs. Arnerich, Barry, Beecher, Belshaw, Boone, Brooke, Burnett, Cobb, Conrey, Cosper, De Lancia, Devoto, Dibble, Feliz, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, La Barce, Lundquist, McKeen, Mead, Melick, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Sanford, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—33.

Mr. Johnson's motion to postpone was carried.

EXPLANATIONS OF VOTES.

MR. SPEAKER: In the Assembly Journal of Wednesday, March 8, 1899 (pages 15 and 16), in the matter of the contempt proceedings against the witness, Milton J. Green, wherein the following resolution, viz.:

"Resolved, That the contempt proceedings against Milton J. Green be dismissed by this Assembly,"

was lost, I am recorded as voting "no," when in fact I should be recorded as voting "aye." Therefore, as the Speaker rules that a roll call cannot be changed after the announcement thereof, I desire that the Journal show that my vote was and should be "aye," by placing this communication in the Journal.

R. DE LANCIE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

To the Speaker of the Assembly:

I did not desire to vote on the question before the House because I consider that it is one that the Republican members of this Assembly should deal with and settle. Up to this time the Democratic minority, of which I am a member, have held aloof and have refrained from taking part in this matter, so far as voting to either hold or excuse Mil-

ton J. Green from appearing at the bar of the House, and, in my humble opinion, they should continue to do so to the end of this session, and I, for one, wished to refrain from voting, but under compulsion, and against my protest, was compelled to vote.

DANIEL S. O'BRIEN.

Ordered printed in the Journal.

I voted aye because I wanted to see an end to a great farce.

A. CAMINETTI.

Ordered printed in the Journal.

QUESTION OF PERSONAL PRIVILEGE.

Mr. Dibble spoke to question of personal privilege regarding an article in the San Francisco Call.

Mr. Johnson spoke to question of personal privilege on same matter.

Mr. Raw also addressed the Assembly on the same subject.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY—MINORITY REPORT—(OUT OF ORDER)

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: We, the undersigned, a minority of your Committee on Judiciary, herewith submit the following amendment to substitute for Senate Bill No. 27, introduced by Senator Simpson, with the recommendation that the same be adopted, and that the substitute for said bill, as thus amended, do pass:

Strike out all after the words "An Act" where they first occur in title of said bill, and insert the following:

"Amending the Civil Code of the State of California by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State, of all of its capital stock, or any part thereof, to any other railroad company, whether organized under the laws of this State, or of any other State or Territory, or under any Act of Congress; and prescribing the conditions and penalties under which such capital stock so sold may thereafter be controlled and enjoyed.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. A new section is hereby added to the Civil Code of the State of California, to be numbered Section 494, to read as follows:

"494 Any railroad corporation owning any railroad in this State, may sell, convey, and transfer all of its capital stock, or any part thereof, to any other railroad corporation, whether organized under the laws of this State, or of any other State or Territory, or under any Act of Congress; and any other such railroad corporation receiving such conveyance may hold and operate such railroad within this State, and may build and operate extensions and branches thereof, and thereunto exercise the right of eminent domain, and do any other business in connection therewith, as fully and effectually, to all intents and purposes, as if such corporation were organized under the laws of this State; *provided*, that such sale, conveyance, and transfer shall be made within three years from the date this section shall take effect; *and provided further*, that before such sale, conveyance, or transfer shall become operative an agreement in writing must be executed by the parties thereto, containing the terms and conditions of the purchase and sale, and its execution must be authorized by the board of directors and ratified by three fourths of the stockholders of each of the railroad companies that are parties to such conveyance and transfer; and said agreement or conveyance shall be recorded in each county through which such road or roads pass in this State; *and provided further*, that no sale, conveyance, or transfer under the provisions of this section shall relieve the capital stock sold, conveyed, or transferred from the liabilities of the grantor which may have been contracted or incurred in the operation, use, or enjoyment of such capital stock or property, or of any of its privileges; *and provided further*, that this section shall not authorize any corporation to purchase the capital stock, or any portion thereof, of any railroad corporation operated in competition with it; *and provided further*, that any or all established rates for fares and tolls for carrying passengers or freight between any points upon any railroad whose capital stock or any portion thereof may be purchased under the provisions of this section, shall not be increased; *and provided further*, that whenever a railroad corporation which has purchased the capital stock, or any portion thereof, of any other railroad corporation under the provisions of this section, shall, for the purpose of competing with any other common carrier, or otherwise, lower its rates for transportation of passengers or freight from one point to another upon the line of such corporation, such reduced rates shall not be again raised or increased from such reduced standard; *and provided further*, that a sale, conveyance, or transfer under the provisions of this section shall in no wise affect the powers of this State over any corporation whose capital stock, or any portion thereof, may be sold as aforesaid, or over its properties, charter, and franchise, or the power of this State to alter, revise, amend, or repeal the

charter or franchise of such corporation, or the power of this State to fix or determine the rates of fares and freight over the lines thereof; and *provided further*, that for every violation of the provisions of this section on the part of the directors, or other governing officers, of any such corporation affected by the provisions hereof, the State shall be entitled to recover from such offending railroad company the sum of fifty thousand dollars. It is hereby declared to be the duty of the Attorney-General of this State, in the event of any such violation, to demand and collect from such company the said penalty; and he is hereby authorized and empowered to prosecute all the necessary actions, in the name of the people of the State of California, against such company in the courts of this State. All money so collected shall be paid into the General Fund of this State.

"Sec. 2. This Act shall take effect immediately."

We regret that the time allowed during the closing days of the session for the examination of this important and far-reaching measure prevents a suitable discussion and consideration of the subject in this report.

We respectfully submit that existing laws are sufficient for all practical purposes, and that no necessity based upon public interests calls for any modifications thereof; much less has any necessity been shown for the passage of the measure recommended by the majority of the committee.

We contend that the passage thereof will, according to its provisions, remove all railroads coming under its operation from State control. The contention of the gentleman who appeared in favor of said proposed bill, based on the case of *Graham vs. Boston, Hartford and Erie R. R. Co.*, reported in 118 U. S. Reports, page 161, etc., is not even sustained by that decision. Moreover, this contention is negatived by other and later decisions. (See 118 U. S., pages 295 and 296; 122 Id., 405.)

The question of consolidation of great railway systems is one now confronting the people of the United States. The motive moving these great interests in that direction ought to be easily understood by a people who have submitted patiently to unreasonable exactions in the past.

California now retains in its authority certain rights important and vital to the interests of commerce and the people. Instead of considering even the question of removing legal barriers, that of enforcing and making them effective for the general welfare should be advocated and adopted. Under the plea of aiding a competing line, we should not throw down the bars that give the State what little rights it still possesses, and enable other corporations, as the majority bill evidently permits, to remove themselves from State control. The minority amendment permits companies to buy and own all the capital stock of any State corporation, to exercise the right of eminent domain, and to exercise all the general powers of corporations organized under the laws of California. We consider this sufficient for all reasonable purposes demanded by any competing line. Further than this we believe it against public policy to go.

We call to the attention of the House that consolidation is not the only matter involved in the bill as it passed the Senate, but aims and ends not now disclosed, nor apparent on the face thereof, will certainly, in the near future, arise to vex and annoy the State and its people, if the measure should become a law.

WHITE,
O'BRIEN,
CAMINETTI,
CLOUGH,
BOONE,

Minority Judiciary Committee.

On motion of Mr. Caminetti, the report was ordered printed in the Journal.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 353—An Act to amend an Act entitled "An Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the Home of the Veterans' Home Association,' approved March 7, 1883; providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof," approved March 23, 1893; reducing the amount of such appropriation per capita.

Assembly Bill No. 44—An Act to amend Section 3519 and to repeal Section 3521 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning the patenting of lands belonging to the State.

And were presented to the Governor March 8, 1899, at four o'clock and fifty minutes P. M.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Assembly Bill No. 372—An Act to amend an Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed.

Assembly Bill No. 634 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1772, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination

Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley, for the arrest of Ygnacio Eisler for attempted highway robbery.

Assembly Bill No. 795—An Act to provide for the payment of \$125 to F. B. Colver, the proprietor of the Labor World and Silver Champion, for advertising the constitutional amendments, and to make appropriation therefor.

Assembly Bill No. 836—An Act making an appropriation to pay the claim of the Herald Publishing Company, San José, for advertising constitutional amendments for the year 1896.

Assembly Bill No. 958—An Act making an appropriation to pay the claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

Assembly Bill No. 918—An Act to pay the claim of the Gonzales Tribune, and making an appropriation therefor.

RICKARD, Chairman

Assembly Bills Nos. 846, 372, 638, 345, 795, 836, 958, and 918 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 825—An Act to provide for the organization and management of live stock insurance companies.

Assembly Bill No. 209—An Act to amend Section 1299 of the Code of Civil Procedure of the State of California, relating to petitions for probate of will.

Assembly Bill No. 210—An Act to amend Section 1323 of the Code of Civil Procedure of the State of California, relating to proceedings on production of foreign will.

Assembly Bill No. 99—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to foreclosure and sale of mortgaged lands.

Assembly Bill No. 193—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights; to extend and protect the present water system; to provide for water storage for fire emergency and other purposes; to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's, along the western shore of Lake Tahoe, and making an appropriation therefor.

Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Plesch, for money due and owing to said Theodore Plesch from the State of California.

Assembly Bill No. 50—An Act to amend Section 161 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Assembly Bill No. 467—An Act to amend Section 1324 of the Code of Civil Procedure, relating to hearing proofs of probate of foreign wills.

Assembly Bill No. 905—An Act appropriating money for the purpose of sinking an oil well on the grounds of the Agnews State Asylum.

Assembly Bill No. 355—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner," approved March 24, 1893, amended March 17, 1897, by amending Section 1 thereof, and adding a new section thereto, relating to the Débris Commissioner and his duties.

Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Assembly Bill No. 851—An Act to amend an Act entitled "An Act to provide for furnishing assistants to the Coroner of each city or county having 100,000 or more inhabitants," etc., approved March 23, 1893.

Assembly Bill No. 94—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

Assembly Bill No. 661—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of school lands.

Assembly Bill No 242—An Act making an appropriation to pay the claim of J. W. Sibole.

Assembly Bill No 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Assembly Bill No 876—An Act to appropriate the sum of \$470 to pay the claim of E. C. Rust, for money due from the State of California.

Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due from the State of California.

Assembly Bill No. 840—An Act to appropriate the sum of \$308 to pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due him from the State of California.

RICKARD, Chairman.

Assembly Bills Nos. 661, 242, 694, 876, 825, 209, 210, 99, 193, 417, 642, 50, 467, 905, 355, 237, 851, 94, 766, 840, and 875 ordered on third-reading file.

RECESS.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until seven o'clock P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock P. M.
Speaker Anderson in the chair.

WAYS AND MEANS APPROPRIATION FILE.

Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Read third time.

Mr. Cobb moved that Assembly Bill No. 728 be continued and made special order for Friday next.

So ordered.

Assembly Bill No. 82—An Act to pay the claim of Patrick Carroll against the State of California, and making an appropriation therefor.

Passed temporarily on file.

Assembly Bill No. 76—An Act to pay the claim of the Dutch Flat Public School District, and the trustees thereof, against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs Blood, Brown, Burnett, Caminetti, Cowan, Crowder, Dale, Dunlap, Glenn, Griffin, Hoey, Huber, Kelsey, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, McDonald of Alameda, Merrill, Merritt, Milice, Pierce, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Wright, and Mr. Speaker—34.
NAYS—Messrs Arnetich, Atherton, Barry, Belshaw, Boynton, Brooke, Clough, Cobb, Cosper, De Lancia, Dibble, Feliz, Kelley, Marvin, McKeen, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Sanford, Valentine, and Wade—24

NOTICE OF MOTION TO RECONSIDER.

Mr. Feliz gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 76 was this day refused final passage.

Assembly Bill No. 80—An Act to pay the claim of Mrs. J. Uren against the State of California, and making an appropriation therefor.

Mr. E. D. Sullivan moved that Assembly Bill No. 80 (339 on file) and Assembly Bill No. 756 (404 on file) be transposed on the file.

So ordered.

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

Read third time.

Mr. McDonald of Alameda moved to refer Assembly Bill No. 756 to a select committee of one with instructions to amend as follows:

Amend by striking out of Section 3, line 1, the word "immediately" and inserting the following: "January second, nineteen hundred."

Motion carried, and it was so ordered.

Mr. McDonald of Alameda was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

WM. McDONALD, Committee.

Report adopted.

Assembly Bill No. 756 ordered to print, reëngrossment, and final passage.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Mr. Lardner moved that Assembly Bill No. 81 (340 on file) and Assembly Bill No. 417 (351 on file) be transposed on the file.

So ordered.

Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's along the western shore of Lake Tahoe, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Cosper, Cowan, Dale, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Melick, Merritt, Milice, Miller of Los Angeles, Muentz, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—49

NOES—Messrs. Belshaw, Boynton, Clough, Crowder, De Lancie, and La Barea—6

Title read and approved.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Read third time.

Mr. Atherton moved to refer Assembly Bill No. 764 to a select committee of one with instructions to amend as follows:

Amend by striking out of Section 2, lines 2, 3, and 4, the words and figures "two thousand eight hundred and ninety-one dollars and twenty-five cents (\$2,891 25)," and

inserting in lieu thereof the following: "three thousand and forty-six dollars and seventy five cents (\$3,046 75)."

Motion carried, and it was so ordered.

Mr. Atherton was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

ATHERTON, Committee.

Report adopted.

Mr. Dibble moved that Assembly Bill No. 764 be made a special order for Friday.

So ordered.

Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and to secure the site, and submit sketch plans and specifications therefor, to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes looking to the confinement of incorrigibles at the Folsom State Prison, to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation at such reformatory, when established, and to make an appropriation for such purposes.

Read third time.

Mr. Valentine moved that Assembly Bill No. 628 be ordered to print and reëngrossment.

So ordered.

Mr. Valentine moved that Assembly Bill No. 628 be made a special order for Saturday.

So ordered

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Huber, Johnson, Kelley, Knights, La Barea, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Radcliff, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—52

NOES—Messrs. Boone, Boynton, Clough, Cosper, Feliz, Marvin, Meserve, and O'Brien—8

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 986—An Act to provide for the payment of the salary of the Secretary of the State

Engineer for the fortieth, forty-first, and forty-second fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAM McDONALD, Chairman.

Assembly Bill No. 986 ordered on second-reading file.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your committee of free conference concerning Assembly Bill No 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—report that we have met a like committee of the Senate, consisting of Senators Wolfe, Simpson, and Dwyer, and we report that the free conference committee agreed upon and recommend that the Senate do recede from its amendment.

WADE, Committee.

On motion of Mr. Dibble, ordered printed in the Journal, and to lay over as unfinished business.

THIRD-READING FILE.

Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Cosper, Cowan, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Johnson, Kelley, Knights, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 414—An Act entitled "An Act to amend Section 3009 of the Political Code, relating to the appointment of officers and employes by the San Francisco Board of Health."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Boone, Boynton, Brown, Burnett, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Dale, De Lancey, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McKeen, Melick, Merrill, Meserve, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 168—An Act to amend Section 2643 of the Political Code, relating to road tax, and its apportionment among road districts.

Passed on file, but to retain place on file.

Assembly Bill No. 234—An Act to amend Section 1188 of the Civil Code of the State of California, relating to certificates of acknowledgment.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Blood, Boone, Boynton, Brooke, Caminetti, Clough, Cosper, Crowder, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—49.
NOES—Mr. Clark—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Wade gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 234 was this day finally passed.

Assembly Bill No. 168—An Act to amend Section 2643 of the Political Code, relating to road tax, and its apportionment among road districts.

Mr. Johnson moved that Assembly Bill No. 168 (73 on file) and Assembly Bill No. 987 (220 on file) be transposed on the file.

So ordered.

Assembly Bill No. 987—An Act to amend Section 11 of an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Blood, Boone, Boynton, Brown, Caminetti, Clark, Cosper, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Melick, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Assembly Bill No. 409—An Act to amend Section 592 of the Penal Code of the State of California.

Mr. Miller of Los Angeles moved that Assembly Bill No. 409 (75 on file) and Assembly Bill No. 731 (143 on file) be transposed on the file.

So ordered.

Assembly Bill No. 731—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending Sections 852, 862, 874, and 875 thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cowan, Crowder, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Huber, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lundquist, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Merritt,

Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—53.
NAYS—Mr. Cargill—1.

Title read and approved.

Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing and sparring matches, and prize or ring fights.
Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Cobb, Crowley, Dale, De Lancia, Dibble, Dunlap, Feliz, Glenn, Hanley, Hoey, Huber, Johnson, Kelsey, Knights, La Barea, Le Baron, Lundquist, Mack, Marvin, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Wright, and Mr. Speaker—45.

NAYS—Messrs. Clough, McDonald of Alameda, Melick, and Wade—4.

Title read and approved.

Assembly Bill No. 513—An Act entitled "An Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as the slot machine, within the State of California."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cowan, Crowder, Crowley, Dale, De Lancia, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Merritt, Meserve, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and White—54.

NAYS—None.

Title read and approved.

Assembly Bill No. 712 (Substitute for Assembly Bills Nos. 18 and 173)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Read third time.

Mr. Mack moved that a select committee of one be appointed, with instructions to amend bill as follows:

Amend by inserting in line 1, Section 1, page 1, printed bill, after the word "claim" the following words: "upon the public domain of the United States."

Also Amend by striking out Section 8 of printed bill and inserting in lieu thereof the following:

"SEC. 8. All Acts and parts of Acts in conflict herewith are hereby repealed."

Motion carried, and it was so ordered.

Mr. Mack was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 712—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MACK, Committee.

Report adopted.

Assembly Bill No. 712 ordered to print, reëngrossment, and final passage.

Mr. Mack moved that Assembly Bill No. 712 be made special order for Friday.

So ordered.

Assembly Bill No. 18—An Act regulating and encouraging mining in the State of California, and making a general State law not in conflict with the Federal mining laws.

Mr. Cowan moved that Assembly Bill No. 18 (98 on file) and Assembly Bill No. 527 (196 on file) be transposed on the file.

So ordered.

Assembly Bill No. 109—An Act empowering Boards of Supervisors to construct, reconstruct, and change the location of, and entering into contracts concerning, bridge or bridges across navigable streams or waterways in this State.

Mr. Blood moved that Assembly Bill No. 109 (79 on file) and Assembly Bill No. 619 (110 on file) be transposed on the file.

So ordered.

Assembly Bill No. 619—An Act for the protection of forests, growing crops, buildings, and other properties from destruction by fire.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, and Mr. Speaker—52.

NOES—Mr. Melick—1.

Title read and approved.

Mr. Dibble moved that the Assembly do now take up messages from the Governor and from the Senate.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,)
SACRAMENTO, March 8, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 245, entitled "An Act to amend sections three hundred and fifty-four, fourteen hundred and eighty-nine, and fourteen hundred and ninety-two of the Political Code, relating to State Normal Schools"; and Assembly Bill No. 528, entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' by adding thereto a new section, to be numbered eighteen hundred and eighteen, providing for special funds for the payment of teachers' salaries in counties constituting but one school district, and defining the duties of Boards of Education, Auditors, and Treasurers in relation thereto."

HENRY T. GAGE,
Governor of the State of California.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following cases of urgency:

Senate Bill No. 272—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

Also: Senate Bill No. 560—An Act to appropriate the sum of \$175 to pay the claim of the National Bulletin, for money due and owing the said National Bulletin from the State of California.

Also: Senate Bill No. 599—An Act to appropriate the sum of \$3,400 to pay the claim of the San Francisco Bulletin, for money due and owing the said San Francisco Bulletin from the State of California.

Also: Senate Bill No. 558—An Act to appropriate the sum of \$717 75 to pay the claim of the Daily Morning Union, Grass Valley, for money due and owing the said Daily Morning Union, Grass Valley, from the State of California.

Also: Senate Bill No. 559—An Act to appropriate the sum of \$150 to pay the claim of the Sierra Valley Record, for money due and owing the said Sierra Valley Record from the State of California

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary

Senate Bill No. 272—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

Read first time, and ordered on Senate special file, being identical with Assembly Bill No. 94.

Assembly Bill No. 94 withdrawn by author.

Senate Bill No. 560—An Act making an appropriation to pay the claim of the Evening Bulletin, for advertising constitutional amendments.

Mr. Dibble moved that Senate Bill No. 560 be placed on Senate special file.

So ordered.

Senate Bill No. 599—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising constitutional amendments for the year 1898.

Mr. Dibble moved that Senate Bill No. 599 be placed on Senate special file.

So ordered.

Senate Bill No. 558—An Act making an appropriation to pay the claim of the Daily Morning Union, for advertising constitutional amendments.

Mr. Dibble moved that Senate Bill No. 558 be placed on Senate special file.

So ordered.

Senate Bill No. 559—An Act making an appropriation to pay the claim of the Sierra Valley Record, for advertising constitutional amendments.

Mr. Dibble moved that Senate Bill No. 559 be placed on Senate special file.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, at Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State

Also: Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Also: Assembly Bill No. 416—An Act to add three new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248, 249, and 250, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary and standing committees thereof.

Also: Assembly Bill No. 147—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbormaster of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Also. Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 39, 33, 416, 147, and 438 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 311—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Also: Refused adoption to Assembly Constitutional Amendment No. 7—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IX thereof, to be numbered with the next consecutive number of sections to said article, relating to exempting certain school properties from taxation.

Also: Passed Senate Bill No. 43 (case of urgency)—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary

Senate Bill No. 311—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Read first time, and ordered on Senate special file, being identical with Assembly Bill No. 72.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received your communication regarding the return to your honorable body of Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall, thoroughfare, and belt-line railroad of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—and in accordance with your request said bill is herewith returned.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Dibble moved that the vote by which Senate Bill No. 54 was passed, after being amended in free conference, and the vote adopting the report of the committee of free conference, be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Brooke, Brown, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dibble, Dunlap, Fairweather, Feltz, Glenn, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mclick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Stewart, Eugene Sullivan, F. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—56

NOES—Messrs. Dale and Muentz—2.

Mr. Dibble moved that Senate Bill No. 54 be recommitted to the committee of free conference heretofore appointed, and that a message be sent to the Senate informing the Senate that the Assembly has reconsidered the vote by which the report of the committee of free confer-

ence was adopted, and the vote upon the final passage of the bill as amended in free conference; also, requesting the Senate to reconsider the vote adopting the report of the free conference committee, and the vote upon the final passage of the bill as amended in free conference; also, requesting the Senate to recommit the bill to the committee of free conference.

Motion carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 644, 611, 347, 349, 395, and 159.

Assembly Bill No. 644 (Substitute for Assembly Bill No. 256)—An Act to amend Sections 2, 3, and 5 of an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage; to purchase machinery, tools, dredgers and appliances therefor; to improve and rectify water channels; to erect works necessary and incident to said drainage; to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Assembly Bill No. 611—An Act to repeal an Act entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento," approved March 25, 1872; and to repeal an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 9, 1887; and to repeal an Act entitled "An Act to amend Sections 1, 6, 7, 8, 10, and 11 of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March 25, 1872," approved March 19, 1889.

Assembly Bill No. 347—An Act to appropriate money to pay the Directors of the Deaf, Dumb, and Blind Asylum for the grading and curbing of Waring street, in front of the lands of the Institute for the Deaf, Dumb, and Blind, of Berkeley, California, which work was performed and materials furnished under a contract with Guy H. Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

Assembly Bill No. 349—An Act to amend the Penal Code by adding two new sections to Title IV thereof, relative to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively.

Assembly Bill No. 395—An Act to amend Section 1261 of the Political Code.

Assembly Bill No. 159—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

And were presented to the Governor March 8, 1899, at nine o'clock and forty-five minutes P. M.

RICKARD, Chairman.

ADJOURNMENT.

At ten o'clock and fifteen minutes P. M., on motion of Mr. Knowland, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, March 9, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 9, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Nelick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—75

LEAVE OF ABSENCE.

Mr. Greenwell was granted leave of absence for the balance of the week, on motion of Mr. Mead.

Mr. Bliss was granted leave of absence for the day, on motion of Mr. Belshaw.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Wright.

The Journal of Tuesday, March 7, 1899, was read and approved.

MOTIONS.

Mr. Valentine moved that the Assembly, at its session beginning at seven o'clock and thirty minutes this evening, consider the Ways and Means appropriation file.

Mr. Johnson moved to amend and consider the Ways and Means file for one hour and thirty minutes, after which the order shall be the third-reading file.

The amendment accepted by the mover.

Motion, as amended, carried.

SPECIAL ORDERS.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Passed temporarily on file.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,'" approved March 31, 1897, relating to the classification of counties into agricultural districts.

Passed on file.

UNFINISHED BUSINESS.

Assembly Bill No. 654—An Act to amend the Civil Code of the State of California, by adding a new section thereto, to be designated and numbered Section 1716.

The question being on the final passage of the bill.
The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the result, Mr. Johnson moved a call of the House.

So ordered.

Mr. Conrey moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll call was completed, and the bill refused passage by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Brooke, Cosper, Crowder, Devoto, Dibble, Fairweather, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, O'Brien, Pierce, Raw, Rickard, Eugene Sullivan, Works, Wright, and Mr. Speaker—35.

NOES—Messrs. Belshaw, Boone, Boynton, Brown, Caminetti, Chynoweth, Clark, Cobb, Conrey, Dale, De Lancey, Dunlap, Feliz, Glenn, Lardner, Melick, Meserve, Milice, Miller of Los Angeles, Radcliff, Robinson, Valentine, and Wade—23.

Consideration of notice of motion to reconsider made by Mr. McKeen on Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Passed on file.

Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Mr. Wade moved the adoption of the following report of the committee of free conference:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your committee of free conference concerning Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—report that we have met a like committee of the Senate, consisting of Senators Wolfe, Simpson, and Dwyer, and we report that the free conference committee agreed upon and recommend that the Senate do recede from its amendment.

WADE, Committee.

Motion carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 996 and 366.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics, employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

RICKARD, Chairman.

Assembly Bills Nos. 996 and 366 ordered to third reading.

At ten o'clock and forty minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Stewart, Valentine, Wade, Wardell, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Mr. Valentine moved that the Sergeant-at-Arms be and he is instructed to deliver to each member of the Assembly two extra copies of Assembly Bill No. 996 as amended.

Motion carried.

REPORT OF COMMITTEE OF FREE CONFERENCE.

SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your committee of free conference, to whom was recommittees Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall, thoroughfare, and belt-line railroad of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—have had the same under consideration, and beg leave to report the same back to your honorable body, and recommend that said bill do pass as amended, as follows:

Amend Section 1 of printed bill by striking out the word "southward," after the word "Francisco," in line 5, page 2; also, amend Section 6 of printed bill by striking out the word "United States," after the word "required," in line 42, page 7; and we recommend further that the report of the committee heretofore adopted and reconsidered be readopted.

BRAUNHART,
DICKINSON,
STRATTON,
Senate Committee.
H. W. MILLER,
KNOWLAND,
CAMINETTI,
Assembly Committee.

Report adopted.

Mr. Dibble moved that the report of the committee of free conference on Senate Bill No. 54 be adopted; that said bill be amended in accordance with said report, and that said bill be ordered to print and retain its place on the file of unfinished business.

Motion carried.

UNFINISHED BUSINESS.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Boone, Boynton, Brooke, Burnett, Clark, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Feliz,

Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelsey, Knowland, La Barea, Lundquist, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Valentine, Wade, White, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Hoey moved that Assembly Bill No. 366 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

Passed on file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Passed on file.

Senate Bill No. 22—An Act to create the Harbor of Oakland, defining its boundaries, and creating a State Harbor Commission for the Harbor of Oakland, to consist of three commissioners, and providing for the manner and time of their appointment, defining their qualifications, powers, duties, and jurisdiction, fixing their terms, salaries and their bonds, and providing how vacancies shall be filled; providing for the appointment of a secretary, attorney, chief engineer, chief wharfinger, collectors, and other employes, and providing for the manner of their appointment, and defining their duties, and fixing their tenure of office; providing for the deposit of all moneys collected by the Harbor Commissioners with the State Treasurer, and defining his duties in relation thereto, and making the disobedience of the rules and regulations of the board or employes a misdemeanor, and providing a penalty of a fine not to exceed \$300, or imprisonment not exceeding one hundred days, as a punishment therefor; and making it a misdemeanor to deposit any substance obstructing navigation in the waters under their jurisdiction, and providing a punishment therefor of a fine of not less than \$100 and not more than \$500, or by imprisonment of not less than thirty nor more than ninety days; and making it a misdemeanor to drive horses, or mules, or vehicles upon any wharf, pier, quay, landing, or thoroughfare, faster than a walk, and providing a punishment of a fine of not more than \$20, or imprisonment of not more than ten days, and providing that the Police Court of the City of Oakland shall have jurisdiction of all such misdemeanors herein provided; and making it a misdemeanor for masters, owners, or consignees of vessels or railroad to refuse or to neglect to deliver to the wharfinger or other employe of the board a statement of the quantity of the merchandise intended to be discharged, and making the punishment therefor a fine of not more than \$100, or imprisonment of not more than three months, or both, and making it a misdemeanor for any such person to discharge, or to allow to be discharged, from any such vessel or car any part of its cargo or load, or receive or allow to be received on such vessel or car any such part of its cargo or load, and providing a punishment of a fine not exceeding \$500, or imprisonment not exceeding one hundred days, or by both such fine and imprisonment; and providing that the Attorney-General shall furnish advice to the board when required.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Hoynton, Brooke, Cargill, Cobb, Cosper, Cowan, Crowley, De Lancey, Dibble, Dunlap, Fairweather, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Knowland, La Barge, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Rickard, Sanford, Works, Wright, and Mr Speaker—42.

NOES—Messrs. Boone and Conrey—2

Title read and approved.

SPECIAL FILE.

Mr. Dibble moved that all constitutional amendments on the special file be continued and retain places on file.

So ordered.

Assembly Bill No. 951—An Act to enable all counties, incorporated towns or cities, or consolidated counties and cities of this State, to use automatic voting or ballot machines at all elections therein.

Passed on file.

Assembly Bill No. 935—An Act relating to boards of election, and their compensation.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 815—An Act to add a new section to the Political Code of the State of California, to be numbered 1118. relating to registration.

Passed on file.

Assembly Bill No. 12—An Act to repeal an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893.

Withdrawn by author.

Assembly Bill No. 750—An Act to create the Board of State Capitol Commissioners, define its powers and duties, provide for certain officers and employes, define the duties and powers of such officers and employes, and fix their compensation.

Passed on file.

Assembly Bill No. 551—An Act to create a commission for the purpose of examining and testing, at actual elections, by public trial and purchase, of voting machines, and reporting to the Legislature at its thirty-fourth session the result of the investigation and experience of the commission, with or without the form of a bill accompanying such report, suggesting appropriate legislation; providing for the punishment of certain offenses calculated to impede fair and thorough tests of different mechanical devices and inventions relative to voting by machine instead of by ballot, and appropriating money for expenses and salaries, rents, advertising, employment, purchases, etc., accruing by reason of the powers conferred upon the commission.

Withdrawn by author.

THIRD-READING FILE.

Assembly Bill No. 167—An Act to provide for the classification of the roads in the State of California, and define each class.

Mr. Johnson moved that Assembly Bill No. 167 (76 on file) and Assembly Bill No. 908 (226 on file) be transposed on the file.

So ordered.

Assembly Bill No. 908—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Valentine, Wade, Wardell, Works, and Wright—59.

NOES—None.

Title read and approved.

Assembly Bill No. 426—An Act regulating the use of the label of the International Typographical Union of North America upon printed matter furnished by the State of California.

Read third time.

Mr. Clark moved that Assembly Bill No. 426 (77 on file) and Assembly Bill No. 916 (237 on file) be transposed on file.

So ordered.

Assembly Bill No. 916—An Act to amend an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, direction, and maintenance within the State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, granting additional powers to the founders and trustees of such institutions, and to add a new section thereto.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Jilson, Johnson, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Muller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—58.

NOES—None.

Title read and approved.

Assembly Bill No. 244—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments.

Passed on file.

Assembly Bill No. 300—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add two new sections to said Act, to be known as Sections 20 and 21.

Mr. Burnett moved that Assembly Bill No. 300 (79 on file) and Assembly Bill No. 567 (196 on file) be transposed on the file.

So ordered.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the counties from which they are formed.

Read third time.

Mr. Burnett moved that Assembly Bill No. 567 be referred to a select committee of one, with instructions to amend as follows:

Amend Section 2 by adding after the word "petition," in line 58, the following: "*provided*, that said Board of Supervisors shall transmit to the State Board of Examiners for its consideration all petitions, maps, documents, and other papers filed or presented in connection with such application, together with the determination of such Board of Supervisors upon the five propositions herein provided for, duly certified by the President and Clerk of said board; and if said State Board of Examiners shall, after a full and fair consideration of all the documents so transmitted to it, and any other evidence that may be submitted to it, find that the best interests of all persons concerned will be promoted by the creation of a new county as prayed for in the petition, said Board of Examiners shall, by resolution, approve such petition, and transmit a copy thereof, together with all documents pertaining to the matter, to said Board of Supervisors, whereupon said Board of Supervisors shall proceed as hereinafter provided; but if said State Board of Examiners disapprove the formation of said new county, they shall, by resolution, so inform said Board of Supervisors, whereupon said Board of Supervisors shall proceed no further in the matter."

Also: Amend Section 3 by striking out all of lines 1 and 2, and inserting in lieu thereof the following: "After the State Board of Examiners shall have approved such petition, and said Board of Supervisors shall have received notice thereof, said Board of Supervisors."

Motion carried, and it was so ordered.

Mr. Burnett was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the counties from which they are formed—with instructions to amend, now reports that the instructions of the Assembly have been carried out

BURNETT, Committee.

Report adopted.

Assembly Bill No. 567 ordered to print, reëngrossment, and final passage.

Mr. Burnett moved that Assembly Bill No. 567 be made special order for Saturday.

So ordered.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State,* other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Read third time, and temporarily passed on file.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 274, 322, 1001, and 1002.

Assembly Bill No. 274—An Act making an appropriation to pay the claim of I. H. Polk against the State of California.

Assembly Bill No. 322—An Act to amend Section 1142 of the Political Code, relating to elections.

Assembly Bill No. 1001—An Act to add a new section to the Penal Code, to be designated as Section 354¾, making it a misdemeanor to deface, obliterate, cover up, or otherwise remove, destroy, or conceal the duly filed trademark or name of another, printed, stamped, engraved, etched, blown, impressed, or otherwise attached to or produced upon any cask, keg, bottle, vessel, siphon, can, or other package.

Assembly Bill No. 1002—An Act to amend Section 1524 of the Penal Code, relating to the issuing of a search warrant

And were presented to the Governor March 9, 1899, at eleven o'clock and thirty minutes A. M.

RICKARD, Chairman

ON ATTACHÉS AND EMPLOYÉS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That Lloyd Childs be and he is hereby appointed clerk of the Committee on Counties and County Boundaries, said appointment to date from and including February 1, 1899. That the per diem for said services be paid out of the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant therefor, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Mr. Lundquist moved that report of Committee on Attachés and Employés be made special order for eleven o'clock and thirty minutes A. M. to-morrow.

So ordered.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 9, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—38.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Chynoweth, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, March 8, 1899. The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, March 8, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	38
W. H. L. Barnes received.....	7 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	7 votes.
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	11 votes.
James D. Phelan received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Marion De Vries—Messrs. Brooke and Fairweather—2.

For Stephen M. White—Messrs. Boone, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—14.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Messrs. Burnett, Glenn, and Hoey—3.

Whole number of votes cast by Assemblymen.....	75
W. H. L. Barnes received.....	15 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	17 votes
U. S. Grant, Jr., received.....	19 votes.
Irving M. Scott received.....	3 votes.
Marion De Vries received.....	2 votes
Stephen M. White received.....	14 votes
John Rosenfeld received.....	1 vote.
James D. Phelan received.....	3 votes

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	113
Necessary to a choice.....	57
W. H. L. Barnes received.....	22 votes
M. M. Estee received.....	1 vote.
D. M. Burns received.....	25 votes.
U. S. Grant, Jr., received.....	26 votes
Irving M. Scott received.....	6 votes
Marion De Vries received.....	2 votes.
John Rosenfeld received.....	2 votes
Stephen M. White received.....	25 votes.
James D. Phelan received.....	4 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-three minutes P. M., Assemblyman Dibble moved to adjourn until Friday, March 10, 1899, at twelve o'clock M. Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Friday, March 10, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-four minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Anderson in the chair.

At two o'clock and thirty minutes P. M., the Speaker called Mr. Belshaw to the chair.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McDonald of Alameda spoke to a question of personal privilege regarding published items in San Francisco newspapers.

At two o'clock and fifty minutes P. M., the Speaker resumed the chair.

MOTION.

Mr. Dibble moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 9, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 349, being entitled "An Act to amend the Penal Code by adding two new sections to Title IV thereof, relating to crimes against the elective franchise, said sections to be numbered 63 and 63½, respectively."

I heartily approve of this law, because recent events have demonstrated the necessity for this measure

HENRY T. GAGE,
Governor of the State of California

MOTION.

Mr. Dibble moved that the select committee appointed to investigate certain charges in connection with the election of a United States Senator be discharged, and that the contempt proceedings against the witness, Milton J. Green, be discharged.

The ayes and noes were demanded by Messrs. Belshaw, Conrey, and Boone.

The roll was called, with the following result:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Boynton, Brown, Caminetti, Chynoweth, Cobb, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Henry, Kelley, Kelsey, Kenneally, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of San Francisco, Muentner, Pierce, Raw, Rickard, Eugene Sullivan, and Works—38.

NOES—Messrs. Belshaw, Boone, Brooke, Burnett, Clough, Conrey, Feliz, Hoey, Huber, Jilson, Knights, La Bree, Melick, Miller of Los Angeles, Sanford, Wade, White, and Mr. Speaker—18.

RESOLUTION—(OUT OF ORDER).

Mr. Burnett offered the following resolution:

Resolved by the Assembly, the Senate concurring, That the thirty-third session of the Legislature of California do adjourn at twelve o'clock P. M. March 9, 1899

Referred to Committee on Ways and Means.

MOTION.

Mr. O'Brien moved that Senate Bill No. 72 be made special order for two o'clock P. M. to-morrow.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 9—An Act to amend an Act in relation to foreign corporations, approved April 1, 1872.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Boone, Brooke, Brown, Caminetti, Chynoweth, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Devoto, Dibble, Dunlap, Fairweather, Hanley, Henry, Hocy, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Raw, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Mr. Speaker—50.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 367—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

Assembly Bill No. 338—An Act to provide for buildings and certain improvements for the University of California and its affiliated colleges.

Assembly Bill No. 191—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor and to authorize the expenditure of the same.

Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Assembly Bill No. 566—An Act to provide for the appointment of a Board of Colton Hall Property and for the acquisition of Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Assembly Bill No. 194—An Act to provide for the completion of the main buildings of the California Home for the Care and Training of Feeble-Minded Children, by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional classrooms at the State Normal School in San José, and to provide for furnishing, equipment, heating, and ventilation apparatus therefor, and making appropriation for the same.

Assembly Bill No. 477—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edison.

Assembly Bill No. 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 369—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Assembly Bill No. 488—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Assembly Bill No. 741—An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Assembly Bill No. 227—An Act to pay the claim of Anton Cuite against the State of California, and making an appropriation therefor.

Assembly Bill No. 933—An Act making an appropriation of \$15,000 for opening and constructing a bitumen street, granite curbs, and cement sidewalks, through Capitol Park, on Thirteenth Street, from L to N streets.

Assembly Bill No. 192—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Assembly Joint Resolution No. 20—Relative to an inquiry into the alleged servitude in Siberia of Ira Whitney and companions

Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and vaults therein, and making an appropriation therefor

Assembly Bill No. 63—An Act to provide for certain improvements at the State Normal School at Los Angeles, and making an appropriation therefor.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Assembly Bill No. 87—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital; said building to contain assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Assembly Bill No. 370—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Assembly Bill No. 86—An Act to appropriate seventeen thousand five hundred (17,500) dollars for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate the money therefor, and provide for the expenditure of the same.

Assembly Bill No. 407—An Act making an appropriation to pay the claim of The Capital, for advertising constitutional amendments.

Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger, for advertising constitutional amendments.

Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments

Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Sehorn, proprietor of the Daily Willows Journal, for the advertising of the constitutional amendments, and to make an appropriation therefor

RICKARD, Chairman.

On motion of Mr. Dibble, ordered printed in the Journal

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 1003—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriating money to pay the expenses thereof," approved March 13, 1883, and an Act amendatory thereof, approved February 18, 1885, and an Act amendatory thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof—and was presented to the Governor March 9, 1899, at three o'clock and fifteen minutes P. M.

RICKARD, Chairman.

SENATE SPECIAL FILE— (RESUMED).

Senate Bill No. 27 (Substituted for Assembly Bill No. 732)—An Act amending the Civil Code of the State of California, adding thereto three new sections, to be numbered 494, 495, and 496, authorizing the purchase or lease by railroad corporations created under the laws of this State, or of any other State or Territory, or of the United States, which are now or hereafter may be doing business as common carriers in this State, of any or all of the property and franchises owned, situated, held, or used wholly or partially in this State by any railroad company created under the laws of this State, or of any other State or Territory of the United States, which is now, or hereafter may be, doing business as a common carrier in this State, and authorizing the sale or lease by any such corporation, as above mentioned, of any such property or franchises, or both, which it may own, use, or hold, wholly or partially, in this State.

Mr. Dibble moved that Senate Bill No. 27 be made special order for to-morrow.

So ordered.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER. Your Committee on Rules and Regulations report the accompanying Assembly concurrent resolution, with the recommendation that it be adopted:

"ASSEMBLY CONCURRENT RESOLUTION No. 22, AMENDING JOINT RULE XI.

"Resolved, That Joint Rule XI be amended so as to provide that the Assembly shall consider Senate bills on the file provided for by Joint Rule XI from two o'clock P. M. until the afternoon recess, and that the Senate shall consider Assembly bills on the file of Assembly bills in the Senate during the same hours; that in other respects the said rule remain in full force."

DIBBLE, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, having had under consideration Senate Concurrent Resolution No. 11—Proposing an amendment to Joint Rule XXIII, in reference to free conference committees—now report the same back, with the recommendation that it do not pass.

DIBBLE, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Joint Resolution No. 19—A resolution as to making upon the Island of Molokai a leper hospital, for the care of all lepers within the United States.

Mr. E. D. Sullivan moved to amend as follows:

Amend by inserting the word "the" in line 1, third resolution, before the word "Senate," so as to make the same read "Secretary of the Senate."

Amendment adopted.

Senate Joint Resolution No. 19 ordered to print and engrossment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following Special Rule for the consideration of business on the files under provision of Standing Rule LXVI:

"That the order of business for Friday evening, March 10, 1896, shall be consideration of the Assembly bills making appropriations for publication of constitutional amendments; not more than five minutes shall be allowed for debate on any of said bills, and no other business shall be considered during the consideration of said bills at said session, which shall commence at half-past seven o'clock, except by unanimous consent."

DIBBLE, Chairman.

Report adopted.

At three o'clock and thirty minutes P. M., the Speaker called Mr. Valentine to the chair.

SPECIAL ORDER.

Assembly Concurrent Resolution No. 19—Relative to adjournment of the Senate and Assembly on Saturday, March 11, 1899.

Mr. Dibble moved that the resolution be laid on the table.

The ayes and noes were demanded by Messrs. Johnson, Clark, and Kelley.

The question being on the motion to lay on the table.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Brooke, Brown, Caminetti, Chynoweth, Clough, Cobb, Conrey, Cosper, Crowder, Dale, Dibble, Dunlap, Huber, Jilson, Kelsey,

Knights, Le Baron, Lundquist, Marvin, McDonald of Tuolumne, Mead, Melick, Milice, Pierce, Radcliff, Raub, Raw, Rickard, Stewart, Valentine, Wade, White, Works, and Wright—37.

NOES—Messrs. Boynton, Feliz, Griffin, Hoey, Johnson, Kelley, La Baree, McDonald of Alameda, Meserve, Miller of Los Angeles, O'Brien, E. D. Sullivan, and Wardell—13.

Mr. Belshaw moved that the time for consideration of Senate file be extended until recess.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read third time.

Mr. Knowland moved that a select committee of one be appointed with instructions to amend as follows:

Insert before the word "does," line 77, Section 1, page 3, the words "is for grading, curbing, or macadamizing and."

Also: By inserting after the word "three," line 77, Section 1, page 3, the word "adjoining"

Motion carried, and it was so ordered.

Mr. Knowland was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

KNOWLAND, Committee.

Report adopted.

Senate Bill No. 408 ordered to print and final passage.

Senate Bill No. 240—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Mr. Mead moved that the bill be passed on the file until to-morrow.

Motion carried.

Mr. Belshaw moved that the Assembly do now consider Senate messages.

Motion lost.

Senate Bill No. 327—An Act providing for liens upon horses and other animals for the cost of shoeing the same.

Mr. Belshaw moved that the bill be denied second reading.

Motion carried.

Senate Bill No. 336—An Act to amend Section 592 of the Penal Code of the State of California.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 487—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653½, relating to the fees charged by employment agencies.

Read second time, ordered to engrossment and third reading.

Senate Constitutional Amendment No. 14—Relative to amending Article XIII of the State Constitution.

Passed on file.

Senate Bill No. 146—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rates of interest.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 155—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 228—An Act appropriating \$45,000 to complete one wing, and equip the building now being constructed for the use of the State Normal School at San Diego, California.

Read second time.

Mr. Works moved that the rule requiring bill to go to Ways and Means Committee be suspended.

So ordered.

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with Mr. Valentine in the chair, for the purpose of considering Senate Bill No. 228.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 228 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 228—An Act appropriating \$45,000 to complete one wing, and equip the building now being constructed for the use of the State Normal School at San Diego, California—and do now report, and recommend that the same do pass.

VALENTINE, Chairman.

Report adopted.

Senate Bill No. 228 ordered to third reading.

Senate Bill No. 182—An Act authorizing cities and towns of the sixth class to obtain by purchase, donation, or devise, lands for cemetery purposes; and authorizing the Board of Trustees of said municipalities to make all necessary rules and regulations for the government and disposition of the same.

Stricken from the file, on motion of Mr. Melick.

Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read second time.

Mr. Feliz moved that the Assembly resolve itself into Committee of the Whole, with Mr. Valentine in the chair, for the purpose of considering Senate Bill No. 554.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 554 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property—and do now report the same back with amendments, and recommend that the same do pass as amended.

VALENTINE, Chairman.

Report adopted.

Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Property, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Mr. Feliz moved to amend as follows:

Amend by striking out of Section 5, line 1, the words "This Act shall take effect immediately" and inserting the following: "This Act shall take effect from and after January first, nineteen hundred."

Amendment adopted.

Also: Amend by striking out of the title the word "property," being the first word in line 2 of the title, and inserting in lieu thereof the word "trustees"

Amendment adopted.

Senate Bill No. 554 ordered to print and third reading.

Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Read second time. ordered to engrossment and third reading.

Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

Passed on file.

Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Passed temporarily on file.

Senate Constitutional Amendment No. 9—Relative to the compensation of Supreme and Superior Court Judges.

Passed on file.

Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California.

Read third time.

Mr. Caminetti moved to refer the bill to a select committee of one to amend as follows:

Amend by adding to Section 1 the following: "*provided*, that no wires shall be attached to a house or tree in private grounds unless the owner thereof consents thereto."

Mr. Crowder moved to refer the bill to a select committee of one to amend as follows:

Amend by striking out of lines 6 and 7, printed bill, the words "or telephone," and inserting before the word "telegraph," in said line 6, the word "or."

Mr. Dibble moved that the amendments to bill be printed in Journal, and that the bill lay over as unfinished business.

So ordered.

Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors.

Read third time.

Mr. Johnson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Amend Section 1, printed bill, by inserting after the word "clerk," in line 18, page 2, the following words: "and immediately after said order designating the estimated number of trial jurors shall be made, the Board of Supervisors shall select, as provided in Sections 205 and 206 of this Code, a list of persons to serve as trial jurors in the Superior Court of said county during the ensuing year, or until a new list of jurors shall be provided in counties of the first class."

Also: Amend by inserting the words "who has served as such" after the word "juror," in line 11, page 3, printed bill.

Also: Amend by adding to Section 2, page 3, printed bill, the words "when an action is called for trial by a jury the judge of the court must draw from the trial jury-box of the court the ballots containing the names of the jurors until the jury is completed or the ballots exhausted."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Senate Bill No. 202 ordered to print and final passage.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 934—An Act to appropriate the sum of \$300 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California

Assembly Bill No. 968—An Act making an appropriation to pay the claim of the Williams Farmer, for advertising constitutional amendments.

Assembly Bill No. 969—An Act to appropriate \$250 to pay the claim of M. C. Dufficy, for publishing constitutional amendments.

Assembly Bill No. 974—An Act to appropriate \$114 to pay the claim of the Fullerton Tribune, for advertising constitutional amendments.

Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King, for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill," an Indian

Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Assembly Constitutional Amendment No. 24—Relative to lands, and improvements thereon, be exempt from taxation for State purposes

Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments

Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising constitutional amendments

Assembly Bill No. 903—An Act making an appropriation to pay the claim of the Butchers and Stockgrowers' Journal, for publishing constitutional amendments

Assembly Bill No. 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments

Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

Assembly Bill No. 863—An Act to provide for the payment of the claim of the Blue Lake Advocate, for the advertising of the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 864—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 865—An Act to provide for the payment of the claim of W. A. Spalding of the Herald Publishing Company of Los Angeles.

Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil B. Dankey, for printing the constitutional amendments.

Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising the constitutional amendments.

Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas H. Menihan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1894.

Assembly Bill No. 822—An Act to provide for the payment of \$180 to John McGonigle, the proprietor of the Ventura Democrat, for advertising constitutional amendments.

Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

Assembly Bill No. 848—An Act making an appropriation to pay the claim of Events, for advertising constitutional amendments.

Assembly Bill No. 856—An Act making an appropriation to pay the claim of the Appeal Publishing Company, for advertising constitutional amendments.

Assembly Bill No. 785—An Act to provide for the payment of \$200 to J. K. Spect, proprietor of the Willows Promoter, for advertising the constitutional amendments, and to make an appropriation therefor.

Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassidy, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Assembly Bill No. 801—An Act providing for the payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

RICKARD, Chairman.

Report ordered printed in the Journal, on motion of Mr. Dibble.

RECESS.

At five o'clock P. M., on motion of Mr. Dibble, the Assembly took a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M.
Speaker Anderson in the chair.

Mr. Dibble moved that the Assembly do now consider messages from the Governor and from the Senate.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 9, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have disapproved and herewith return Assembly Bill No. 44, because the Senate Journal shows that the Senate refused to pass the bill.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO March 9, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos 395 and 611.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved that all of the newspaper claims bills be placed on the Senate special file, without reference to committee.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as cases of urgency, the following substitutes: For Senate Bill No. 609—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising the constitutional amendments.

Also: Senate Bill No. 616—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing the constitutional amendments for the year 1898.

Also: Senate Bill No. 617—An Act making an appropriation to pay the claim of the San Francisco Abend Post, for advertising the constitutional amendments.

Also: Senate Bill No. 627—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising the constitutional amendments.

Also: Senate Bill No. 626—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising constitutional amendments.

Also: Senate Bill No. 629—An Act to provide for the payment of \$400 to Ed E. Leake, proprietor of the Woodland Democrat, for the advertising of the constitutional amendments voted for at the general election held in 1898, and making an appropriation therefor.

Also: Senate Bill No. 631—An Act making an appropriation to pay the claim of H. B. Martin & Sons, proprietors of the San Bernardino Evening Transcript, for publishing the constitutional amendments.

Also: Senate Bill No. 633—An Act to provide for the payment for the advertising of constitutional amendments, and making an appropriation therefor.

Also: Senate Bill No. 637—An Act providing for the allowance and payment of the claim of H. E. Granice against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 578—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record-Union, for advertising the constitutional amendments.

Also: Senate Bill No. 582—An Act making an appropriation to pay the claim of J. L. Phelps & Co., publishers of the Stockton Daily Independent, for advertising the constitutional amendments.

Also: Senate Bill No. 583—An Act making an appropriation to pay the claim of Colton & Nunan, publishers of the Stockton Mail, for advertising the constitutional amendments.

Also: Senate Bill No. 584—An Act making an appropriation to pay the claim of the San Francisco Chronicle, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No. 594—An Act making an appropriation to pay the claim of William O'Brien, for advertising the constitutional amendments.

Also: Senate Bill No. 595—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising the constitutional amendments.

Also: Senate Bill No. 600—An Act making an appropriation to pay the claim of the Mercury Publishing and Printing Company, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No. 604—An Act making an appropriation to pay the claim of the Yreka Journal, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No. 606—An Act making an appropriation to pay the claim of the Alturas Plaindealer, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No. 567—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Also: Senate Bill No. 570—An Act making an appropriation to pay the claim of the Press-Democrat, for publishing proposed constitutional amendments.

Also: Senate Bill No. 573—An Act making an appropriation to pay the claim of the Sun, for advertising constitutional amendments.

Also: Senate Bill No. 574—An Act making an appropriation to pay the claim of the Record, for advertising constitutional amendments.

Also: Senate Bill No. 575—An Act making an appropriation to pay the claim of the Report, for advertising the constitutional amendments.

Also: Senate Bill No 576—An Act making an appropriation to pay the claim of A. W. Voorsanger, publisher of the *Emanuel*, for advertising the constitutional amendments.

Also: Senate Bill No 731—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered 64½, relating to elections, by providing for the punishment of offenses at primary elections

U. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 609—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 616—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 617—An Act making an appropriation to pay the claim of the San Francisco Abend Post, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 627—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 626—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 629—An Act to provide for the payment of \$400 to Ed E. Leake, proprietor of the Woodland Democrat, for the advertising of the constitutional amendments voted for at the general election held in 1898, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 631—An Act making an appropriation to pay the claim of H. B. Martin & Son, proprietors of the San Bernardino Evening Transcript, for publishing the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 633—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 637—An Act providing for the allowance and payment of the claim of H. H. Granice against the State of California, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 578—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record—Union, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 582—An Act making an appropriation to pay the claim of J. L. Phelps & Co., for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 583—An Act making an appropriation to pay the claim of Colnon & Nunan, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 584—An Act making an appropriation to pay the claim of the San Francisco Chronicle, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 594—An Act making an appropriation to pay the claim of William O'Brien, for advertising the constitutional amendments.

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Senate Bill No. 595—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file

Senate Bill No. 600—An Act making an appropriation to pay the claim of the Mercury Publishing and Printing Company, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 604—An Act making an appropriation to pay the claim of the Yreka Journal, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 606—An Act making an appropriation to pay the claim of the Alturas Plaindealer, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 567—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 570—An Act making an appropriation to pay the claim of the Press-Democrat, for publishing the proposed constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 573—An Act making an appropriation to pay the claim of the Sun for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 574—An Act making an appropriation to pay the claim of the Record, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 575—An Act making an appropriation to pay the claim of the Report, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 576—An Act making an appropriation to pay the claim of A. W. Voorsanger, publisher of the Emanu-El, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 731—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 64½, relating to elections, by providing for the punishment of offenses at primary elections.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No 597—An Act making an appro-

provision to pay the claim of D. L. Blanchard, for supplying provisions to a company of United States cavalry known as Captain Ramon Pico's Company, during the War of the Rebellion, for \$1,587—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 597 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 324.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following bills:

Senate Bill No. 70—An Act to appropriate \$11,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital, to make the necessary changes in attics to protect the hospital building against fire; to appropriate money therefor, and provide for the expenditure of the same.

Senate Bill No. 86—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital; said buildings to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following bills:

Senate Bill No. 264—An Act to prohibit the use of stagnant water in the drinking troughs used by domestic animals, and to prevent the spread of infectious diseases.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Senate Bill No. 210—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 70—An Act to appropriate \$11,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital; to make the necessary changes in attics to protect the hospital buildings against fire; to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and ordered on Senate special file, it being identical with Assembly Bill No. 86.

Assembly Bill No. 86 withdrawn.

Senate Bill No. 86—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital, said building to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital, to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and ordered on Senate special file, it being identical with Assembly Bill No. 87.

Assembly Bill No. 87 withdrawn.

Senate Bill No. 264—An Act to prohibit the use of stagnant water in the drinking troughs used by domestic animals, and to prevent the spread of infectious diseases.

Read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Read first time, and ordered on Senate special file, it being identical with Assembly Bill No. 460.

Assembly Bill No. 460 withdrawn.

Senate Bill No. 210—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and ordered on Senate special file, it being identical with Assembly Bill No. 193.

Assembly Bill No. 193 withdrawn.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Also: Assembly Bill No. 911—An Act to amend the Political Code, by adding a new section thereto, to be numbered 11461, relating to the organization of committees to represent political parties at primary elections.

Also: Amended, and passed as amended, Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works.

Also: Refused to pass Assembly Bill No. 206—An Act to amend Sections 7, 9, and 11 of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Also: Adopted Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section to Article IX thereof, to be numbered with the next consecutive number of sections to said article, relating to exempting from taxation all property of "The California School of Mechanical Arts."

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills No. 376 and 911 ordered to enrollment.

Assembly Bill No. 662 ordered on unfinished business file.

Assembly Constitutional Amendment No. 14 ordered to enrollment.

Assembly Bill No. 194 withdrawn by author.

WAYS AND MEANS APPROPRIATION BILLS FILE.

Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899

MR. SPEAKER: Your committee of conference concerning Assembly Bill No 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen—report that we have met a like committee of the Senate, consisting of Senators Doty, Boyce, and Burnett, and we report that the conference committee have failed to agree, and we recommend that the Assembly insist upon non-concurrence in Senate Amendment No 2, and ask the appointment of a committee of free conference.

JOHNSON, Chairman.

Report adopted.

The Speaker appointed as such free conference committee, *in re* Assembly Bill No. 4, Messrs. Johnson, Kelley, and E. D. Sullivan.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Boone, Boynton, Brooke, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Dibble, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Robinson, Sanford, Stewart, Wade, Wardell, White, Works, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Assembly Bill No. 555—An Act to pay the claim of Mrs. R. P. Squier against the State of California, and making an appropriation therefor.

Mr. Lardner moved that Assembly Bill No. 555 (330 on file) and Assembly Bill No. 642 (342 on file) be transposed on the file.

So ordered.

Assembly Bill No. 642—An Act to appropriate the sum of \$300 to pay the claim of Theodore Pliesch, for money due and owing to said Theodore Pliesch from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Mack, Marvin,

McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—60.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 131, 212, and 744.

Assembly Bill No. 131—An Act to appropriate money for the improvement of the Harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay.

Assembly Bill No. 212—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Assembly Bill No. 744—An Act to amend Section 3453 of the Political Code, relative to the duties of trustees of reclamation districts of this State.

RICKARD, Chairman

Assembly Bills Nos. 131, 212, and 744 ordered on file for final passage.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 630 and 935.

Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water sprinkling and pumping plant in the Yosemite Valley.

Assembly Bill No. 935—An Act relating to Boards of Education, and their compensation.

RICKARD, Chairman.

Assembly Bills Nos. 630 and 935 ordered on third-reading file.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 65—An Act making an appropriation to pay the claim of Maria Willhartitz, for moneys paid through error by her to the State as interest on certificate of purchase of State school lands in the State of California.

Mr. McDonald of Alameda moved that Assembly Bill No. 65 (331 on file) and Assembly Bill No. 878 (374 on file) be transposed on the file.
So ordered.

Assembly Bill No. 878 (Substitute for Assembly Bill No. 709)—An Act to provide for the survey, location, and construction of a public highway or wagon road from the City of Merced, in the County of Merced, to the Yosemite Valley, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boone, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Cosper, Cowan, Crowder, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Kelley, Kelsey, Knights, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Morrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Wardell, White, Works, and Mr. Speaker—54.

NOES—Messrs. Dale and Wade—2

Title read and approved.

MOTION.

Mr. Belshaw moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted a motion requesting that your honorable body return to the Senate at once Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization of committees to represent political parties at primary elections—for the purpose of reconsidering the vote whereby said bill was passed.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Belshaw moved that Assembly Bill No. 911 be returned to the Senate as per request.

So ordered.

MOTION TO RECONSIDER.

Mr. Cosper moved to reconsider the vote whereby Senate Bill No. 29 was on yesterday refused final passage, and further moved to postpone the motion to reconsider until next legislative day.

Motion carried, and it was so ordered.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen of such veteran volunteer firemen.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Blood, Boynton, Brooke, Brown, Burnett, Clark, Cobb, Cowan, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Kelsey, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Wright—46.

NOES—Messrs. Clough, Conrey, Cosper, Crowder, Dale, Feliz, Jilson, Le Baron, Lardner, Radcliff, Robinson, Wade, Works, and Mr. Speaker—14

Title read and approved.

Assembly Bill No. 561—An Act to appropriate \$50,000 for the erection of a monument to the memory of Abraham Lincoln in Golden Gate Park, in the City and County of San Francisco.

Mr. Clark moved that Assembly Bill No. 561 (333 on file) and Assembly Bill No. 905 (412 on file) be transposed on file.

So ordered.

Assembly Bill No. 905—An Act making an appropriation for the purpose of sinking an oil well, or wells, on the grounds of the Agnews State Hospital.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Clark, Conrey, Cosper, Cowan, Crowder, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne,

McKeen, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—54.

NOES—Messrs. Cargill, Clough, Dale, and Merritt—4.

Title read and approved.

Mr. Wright moved that the time for the consideration of the Ways and Means appropriation file be extended for thirty minutes.

So ordered.

Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water sprinkling and pumping plant in the Yosemite Valley.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clark, Clough, Conrey, Crowly, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Grullin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Knowland, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, Wright, and Mr. Speaker—54.

NOES—Messrs. Cosper and Le Baron—2.

Title read and approved.

Assembly Bill No. 81—An Act to pay the claim of W. P. Sowden against the State of California, and making an appropriation therefor.

Mr. Lardner moved that Assembly Bill No. 81 (355 on file) and Assembly Bill No. 368 (383 on file) be transposed on the file.

So ordered.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Crowder, Crowly, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Jilson, Johnson, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State."

Read third time.

Mr. Wardell moved that a select committee of one be appointed to amend Assembly Bill No. 741 as follows:

Amend by striking out in line 8, Section 7, after the word "State," the following: "provided, that nothing in this Act shall impair or affect the right, or power, or duty of the Boards of Supervisors to appoint and pay game and fish wardens in their respective counties, under existing laws."

Amendment lost.

Mr. Lardner moved to refer Assembly Bill No. 741 to a select committee of one, with instructions to amend as follows:

Amend by striking out the word "twelve," in line 2, Section 6, page 3, printed bill, and inserting the word "six."

Amendment lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Caminetti, Clark, Cobb, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Miller of Los Angeles, Miller of San Francisco, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Works, Wright, and Mr. Speaker—43.

NOES—Messrs. Cargill, Clough, Conrey, Cosper, Cowan, Lardner, Merritt, Meserve, Muenster, Radcliff, Raub, Wade, Wardell, and White—14.

Title read and approved.

Mr. Dibble moved that for the remainder of the legislative day the Assembly continue to consider the Ways and Means appropriation file.

Motion lost.

THIRD-READING FILE.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Read third time.

Mr. Valentine moved that a select committee of one be appointed to amend Assembly Bill No. 447 as follows:

Amend Section 1, by adding after the word "repealed," in line 8, of the printed bill, the following: "*provided*, that this Act shall in no manner affect or abridge any rights heretofore secured by any person or persons under the section which is hereby repealed."

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Cosper, Cowan, Crowley, Dale, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Kelley, Kelsey, Knowland, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Muenster, Pierce, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and White—56.

NOES—Messrs. Conrey, Crowder, Dibble, Lardner, and Wright—5.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Valentine gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 447 was this day finally passed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 438, 447, 446, 33, and 39.

Assembly Bill No. 438—An Act authorizing women to vote at school elections, and defining the qualifications of such voters.

Assembly Bill No. 447—An Act to amend Sections 2570 and 2571 of the Political Code of the State of California, relative to the Harbormaster of the Port of Eureka, and relative to the salaries of the members of the Board of Harbor Commissioners.

Assembly Bill No. 446—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, to be numbered, respectively, Sections 248 and 249, relating to the committees of the respective houses of the Legislature, and to the duties of the Judiciary Committees thereof.

Assembly Bill No. 33—An Act to authorize agricultural societies to borrow money and secure the payment of the same.

Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute for the Deaf, Dumb, and Blind at Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State.

And were presented to the Governor March 9, 1899, at nine o'clock and fifty-five minutes P. M.

RIÇKARD, Chairman.

Mr. Dibble moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 9, 1899 }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 1001, 1002, and 322.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 9, 1899 }

To the Assembly of the State of California.

I herewith return to your honorable body, without my approval, Assembly Bill No. 5, with my objections thereto.

This bill exhibits the evils of over zeal. Apparently designed to relieve the burdens laid upon all dumb animals, it actually imposes the ponderous financial burden of \$102,600 annually upon the mule, but human, taxpayers of the State, or a tax upon people of each county of the State of \$1,800 per annum for the benefit of the sympathetic friends of the brute. For the violation of any one of the extraordinary provisions of this bill, the offense is rated so high that all members and agents of the society referred to in the Act are authorized to start upon a pilgrimage of human slaughter, and for such purpose "may carry the same weapons" that sheriffs, constables, police, and peace officers "are authorized to carry."

These newly created knights of the pistol and truncheon are justified by this bill in the use of armed intervention, not for the benefit of the State, but for the purpose of increasing the exchequer of the incorporated humane societies.

The societies characterized as "humane" which should operate under this bill would soon prove a misnomer, inasmuch as by its provisions the officers of such societies are authorized to kill every sick, disabled, infirm, or crippled animal which may have been abandoned by its owner, and are empowered to use force and arms against any person who should remonstrate or interfere with this sanguinary duty.

Another unusually cruel feature of the bill is to be found in Section 21, where it is made the duty of every owner of an animal "which is unfit, by reason of its physical condition, for the purpose for which such animals are usually employed, and when there is no reasonable probability of such animal ever becoming fit for the purpose for which it is usually employed," to kill the same within twelve hours after being notified by a peace officer or officer of said society. So, therefore, if the animal should have been used for racing or breeding purposes, and should be no longer fit therefor, the unfortunate beast must be deprived of life. This doctrine is wholly indefensible. If the owner

of a horse destined for such a fate because of such uselessness should happen to be a hippophile, and lack the bloodthirsty spirit necessary for obedience to such officer's command, then he is deemed guilty of a misdemeanor, and subjected to the punishment of fine or imprisonment, or both, as provided for in the Act.

I find a singular ambiguity in Section 22 of the bill, which, should it become a law, might puzzle the ermined arbiters, namely, where the following language is used: "Any person or persons holding a lien or liens against any animal, or animals, under the provisions of this Act, may satisfy such lien as follows: If such lien be not paid by the party or parties responsible within three days after the obligation becomes due, then the party or parties holding such lien may resort to the proper court to satisfy the claim; or he or they, three days after the charges against such property becomes due, may sell the same, or so much thereof as may be necessary to defray the amount due and costs of sale," etc.

Now, as by Section 20 no tail shall be "docked" or shortened, it might be difficult for a strict constructionist to determine whether the tail should be included or excluded from the sale, and a conflict might arise which would involve mathematics as well as ethics.

But, disregarding this possible conflict, as of trivial importance, it is not useless to the taxpayer to scrutinize the purpose of the bill, which seeks to impose all the expenses of the trials and proceedings upon the several counties, and to permit the humane societies to reap the benefit of the fines imposed, without the expenditure of a single dollar.

I am heartily in favor of proper measures for the protection of all animals from cruelty, but such a measure as this proposed cannot, without grave injustice, accomplish such object; nor does it warrant the enormous annual expenditure of \$102,600. to be paid by the taxpayers of the several counties.

HENRY T GAGE,
Governor of the State of California.

Mr. Johnson moved that consideration of the Governor's message vetoing Assembly Bill No. 5 be made special order for Monday next.
So ordered.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 722—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 358—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission—have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman.

Senate Bills Nos. 722 and 358 ordered on Senate special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal, of Alameda, California, for advertising the constitutional amendments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VALENTINE, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$566 65 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for the articles as per attached summary:

Jan 28—Tom Scott.....	\$42 15
Feb 9—Tom Scott.....	7 30
18—Tom Scott.....	36 95
Mar. 1—Tom Scott.....	17 40
	———— \$103 80

Feb. 6—United Typewriter and Supply Company.....	\$34 00	
6—United Typewriter and Supply Company.....	34 00	
6—United Typewriter and Supply Company.....	9 00	
14—United Typewriter and Supply Company.....	2 30	
16—United Typewriter and Supply Company.....	1 15	\$80 45
Feb. 23—John Breuner.....	\$28 25	
Mar. 4—John Breuner.....	5 50	
		33 75
Feb. 20—Buffalo Ice Company.....	\$20 00	
Mar. 4—Buffalo Ice Company.....	20 00	
		40 00
Feb. 14—H. S. Crocker & Co.....	\$73 50	
27—Hale Bros.....	4 50	
Mar. 7—Washing towels.....	12 00	
1—Frank M. Jones.....	3 50	
		93 50
Feb. 14—Sacramento Planing Mill.....	\$3 75	
28—Sacramento Planing Mill.....	40 00	
28—Sacramento Planing Mill.....	11 50	
		55 25
Jan. 14—Sunset Telephone Co.	\$3 30	
Feb. 1—Sunset Telephone Co.	6 00	
		9 30
Feb. 16—Hevener, Mier & Co.....	\$64 30	
15—Capital Transfer Co.	1 75	
		66 05
Feb. 21—Frank M. Veach.....	\$16 10	
Jan. 12—W. F. Purnell.....	75	
7—Wyckoff, Seamens & Benedict.....	35 00	
23—Frank H. Wing.....	6 00	
23—J. L. Maude.....	3 05	
23—H. K. Wallace.....	25	
Mar. 7—Frank M. Jones.....	23 40	
		84 55
		\$566 65

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VALENTINE, Chairman.

Report and resolution adopted.

Mr. Belshaw moved that Assembly Bill No. 907 be read second time and ordered to print.

Motion carried.

Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal, of Alameda, California, for advertising the constitutional amendments.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 907.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 907 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal, of Alameda, California, for advertising the constitutional amendments—and do now report the same with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal, of Alameda, California, for advertising constitutional amendments.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act," and inserting in lieu thereof the following:

"To appropriate the sum of \$400 to pay the claim of the Daily Encinal, for money due and owing the said Daily Encinal from the State of California

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of four hundred dollars to pay the claim of the Daily Encinal, the said sum of four hundred dollars being now due and owing from the State of California to the said Daily Encinal.

"SEC. 2 The State Controller is hereby authorized and directed to draw his warrant in favor of the said Daily Encinal for the said sum of four hundred dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 907 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rule under the provisions of Standing Rule LXVI:

"There shall be prepared at once by the Committee on Rules and Regulations a special urgency file, to consist of bills to be selected in the following manner:

"Each member shall present to the Committee on Rules and Regulations the number of any one particular bill which he desires to be taken up, such bill to be selected from any file, and when such list of bills shall have been completed, the Committee on Rules and Regulations, in the presence of the House, shall cause the names of all the members to be placed in a hat, and they shall be drawn therefrom by chance.

"The bills shall then be arranged in the order in which the names are drawn, and a special urgency file shall be thus made. Such file shall be considered at evening sessions commencing on Saturday evening, March 11, 1899, and shall be continued at evening sessions until all of such bills have been acted upon.

"During the consideration of such special urgency file no bill shall be considered if objection thereto is made by at least seven members of the Assembly. But if a bill is thus objected to by seven members, the member who has placed such bill upon the file shall have the right to call up another bill in its place, under the same regulation as to objections.

"Debate upon bills upon such special urgency file shall be limited to five minutes on each bill, one half of which time shall be allowed to those favoring the bill, and the remainder of the time to those in opposition.

"During the consideration of such special urgency file no other business shall be in order, except by unanimous consent.

"Each evening session shall last at least three hours."

DIBBLE, Chairman.

Mr. Dibble moved that the report be printed in the Journal, and lay over as unfinished business.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 377—An Act to amend Section 632 of the Penal Code, relating to fish.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Cowan, Crowder, Crowley, De Lancia, Dibble, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Lardner, Lund-

quist, McDonald of Tuolumne, McKeen, Mead, Merrill, Miller of San Francisco, Pierce, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—45.
Nays—Mr. Conrey—1.

Title read and approved.

Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½, respectively.

Read third time.

Mr. Huber moved to refer Assembly Bill No. 383 to a select committee of one, with instructions to amend as follows:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Sec. 159 In counties of the second class the county and township officers shall receive, as compensation for the services required of them by law, the following salaries, to wit:

"1. The County Clerk, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the County Clerk the following deputies, who shall be appointed by the County Clerk, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month, two register clerks at a salary of one hundred dollars each per month, one Clerk of the Board of Supervisors at a salary of one hundred and twenty dollars per month, two court-room clerks at a salary of one hundred and fifteen dollars each per month (said clerks to be assigned to the criminal and probate departments of the Superior Court), and four court-room clerks at a salary of one hundred dollars each per month, one recording clerk, one file clerk, one index clerk, and one clerk in charge of the criminal records at eighty dollars each per month, one miscellaneous clerk at a salary of ninety dollars per month, one assistant clerk to the Board of Supervisors at a salary of eighty dollars per month, one clerk at a salary of seventy-five dollars per month, one clerk at a salary of forty-five dollars per month, one deputy at a salary of twenty-five dollars per month, six clerks at a salary of seventy dollars per month for not to exceed one month for any one year. The salaries of the deputies and clerks herein provided for shall be paid by said county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the County Clerk is paid.

"2. The Sheriff, three thousand five hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Sheriff an Under Sheriff and the following deputies and stenographer, who shall be appointed by the Sheriff of said county, and shall be paid salaries as follows: One Under Sheriff at a salary of one hundred and twenty-five dollars per month; one bookkeeper at a salary of one hundred and twenty-five dollars per month; five deputies at a salary of ninety dollars each per month; eight deputies at a salary of eighty dollars each per month; four jail deputies at a salary of seventy dollars each per month; one jail matron at a salary of fifty dollars per month, one stenographer at a salary of sixty dollars per month. The salaries of the Under Sheriff, and all deputies and stenographer herein provided for, shall be paid by said county in monthly installments, at the same time, and in the same manner, and out of the same fund that the salary of the Sheriff is paid. The Sheriff shall also receive the amount of money necessarily expended by him in serving all processes and notices, and the same shall be a charge against the county, and allowed as such by the Board of Supervisors, and paid as other county charges are paid. In case of sale of property on foreclosure of mortgage or on execution, the Sheriff shall be entitled to receive all necessary expenses of keeping the property and of advertising the sale, and a commission of one per cent upon the proceeds of the same, which commission shall in no case exceed the sum of twenty-five dollars. Said commission shall be paid in to the County Treasurer, and shall be the property of the county; *provided*, that in counties of this class the Sheriff shall be allowed no compensation or profit for feeding prisoners in the county jail, but that he shall file monthly with the County Auditor a verified statement showing the names of persons and amounts paid to each for expense of feeding such prisoners, and the Sheriff shall thereupon pay over to the County Treasurer for the use of the county any difference between the amount allowed for such purpose by the Supervisors and the amount actually expended by him therefor.

"3. The Recorder, three thousand dollars per annum; *provided*, that in counties of this class there shall be, and there hereby is, allowed to the Recorder the following deputies and copyists, who shall be appointed by the Recorder of said county and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; four deputies at a salary of ninety dollars each per month; four deputies at a salary of seventy-five dollars each per month; two deputies at a salary of seventy-five dollars each per month, not to exceed four months in any one year, and as many copyists as may be required, who shall receive as compensation for their services the sum of five and one half cents per folio for recording any instrument or notice, except maps or plats; for copies of any record or paper, five cents per folio. The sala-

ries and compensation of all deputies and copyists herein provided for shall be paid by said county in monthly installments, and at the same time, and in the same manner, and out of the same fund as the salary of the County Recorder is paid.

"4. The Auditor, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the Auditor the following deputies and clerks, who shall be appointed by the Auditor, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; one deputy at a salary of one hundred dollars per month; one deputy at a salary of ninety dollars per month; three deputies at a salary of eighty dollars per month; and forty clerks at a salary of seventy-five dollars each per month, not to exceed one month in any one year, and such additional assistance as the Auditor may require, and whose compensation in the aggregate shall not exceed the sum of seven hundred and fifty dollars in any one year. The salaries of the chief deputy, deputies, and clerks herein provided for shall be paid by the county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the Auditor.

"5. The Treasurer, three thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the Treasurer one chief deputy, who shall be appointed by the Treasurer, and shall be paid a salary of one hundred and twenty-five dollars per month, also one deputy at a salary of ninety dollars per month. The salaries of the deputies herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner, and out of the same fund as the salary of the Treasurer.

"6. The Tax Collector, three thousand dollars per annum, which shall be full compensation for all services rendered by him; *provided*, that in counties of this class there shall be and there hereby is allowed to the Tax Collector the following deputies and clerks, who shall be appointed by the Tax Collector, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; one cashier at a salary of one hundred dollars per month; two report clerks, one general clerk, and one corresponding clerk at a salary of ninety dollars each per month; one license clerk at a salary of eighty dollars per month, and two license inspectors at a salary of seventy-five dollars per month each; three clerks at a salary of seventy-five dollars each per month, one clerk at a salary of ninety dollars per month, not to exceed four months in any one year; thirty-four clerks at a salary of seventy-five dollars per month each, not to exceed four months each in any one year. There is also allowed not to exceed four hundred dollars for traveling expenses for the license tax collector each year. The salaries of the chief deputy and all the clerks and deputies herein provided for shall be paid by said county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the Tax Collector.

"7. The District Attorney, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the District Attorney an Assistant District Attorney and the following deputies, who shall be appointed by the District Attorney of said county, and shall be paid salaries as follows: One Assistant District Attorney at a salary of one hundred and eighty-five dollars per month; one chief deputy at a salary of one hundred and seventy-five dollars per month; one deputy at a salary of one hundred and fifty dollars per month; two deputies at a salary of one hundred dollars each per month; and one clerk, who shall be a stenographer, at a salary of seventy-five dollars per month; *provided further*, that nothing herein contained shall be construed to prevent the Board of Supervisors of said counties of this class from employing special counsel when, in the judgment of said board, the interests of said county require it. The salaries of the Assistant District Attorney, deputies, stenographer, and special counsel herein provided for shall be paid by the county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the District Attorney.

"8. The Assessor, three thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the Assessor the following deputies and clerks, who shall be appointed by the Assessor, and shall be paid salaries as follows: One chief deputy, at one hundred and twenty-five dollars per month; one second deputy, at a salary of one hundred dollars per month; one valuation clerk, at a salary of eighty-five dollars per month; one transfer clerk, at a salary of eighty-five dollars per month; twenty-five field deputies for not exceeding one month in any one year, at a salary of eighty dollars each per month; twenty-five field deputies for not exceeding two months in any one year, at a salary of ninety dollars each per month; nineteen field deputies for not exceeding two months in any one year, at a salary of eighty dollars each per month; six field deputies for not exceeding three months in any one year, at a salary of eighty dollars each per month; five field deputies for not exceeding four months in any one year, at a salary of ninety dollars each per month; four clerks for not exceeding four months in any one year, at a salary of ninety dollars each per month; one clerk for not exceeding three months in any one year, at a salary of ninety dollars per month; nineteen clerks for not exceeding four months in any one year, at a salary of eighty dollars each per month; four clerks and one stenographer not to exceed four months in any one year, at a salary of sixty dollars each per month; five clerks for not exceeding one month in any one year, at a salary of eighty dollars each per month; fifteen clerks, copyists, and indexers for not to exceed four months in any one year, at a salary of sixty dollars each per month, and one messenger for not exceeding four months in any one year, at a salary of thirty dollars per month. The salaries of the deputies, stenographer, and clerks herein provided for shall be paid by said

county in monthly installments, at the same time, and in the same manner, and out of the same fund as the salary of the County Assessor is paid; *provided*, he shall not retain for his own use, but shall turn into the county treasury, all commissions allowed by law.

"9. The Coroner, two thousand five hundred dollars per year and his actual necessary traveling expenses when traveling outside of the county seat. He must hold inquests, as prescribed by chapter two, title twelve, part two, of the Penal Code, except that he may in his discretion dispense with a jury. The Coroner, or other officer holding the inquest upon the body of a deceased person, may subpoena a physician or surgeon to inspect the body, or a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or hold a post mortem examination of the deceased, and give a professional opinion as to the cause of death, and shall cause the testimony given by the witness to be reduced to writing, under his direction, and may employ a clerk or stenographer for such purpose, at a salary of one hundred dollars per month. The salary of the clerk or stenographer herein provided for shall be paid by the county in equal monthly installments at the same time, and in the same manner, and out of the same fund as the salary of the Coroner.

"10. The Public Administrator, two thousand four hundred dollars per annum.

"11. The Superintendent of Schools, three thousand dollars per annum, which shall be in full for all services, including attendance upon the Board of Education, and actual necessary traveling expenses not to exceed five dollars each for every school district in the county; *provided*, that in counties of this class there shall be and there hereby is allowed to the Superintendent of Schools one assistant and one deputy, who shall be appointed by the Superintendent of Schools of said county, and shall be paid salaries as follows: One assistant at a salary of one hundred and ten dollars per month; one deputy at a salary of one hundred dollars per month. The salaries of the assistant and deputy herein provided for shall be paid by the county in the same manner, and at the same time, and out of the same fund as the Superintendent of Schools is paid.

"12. The Surveyor, two thousand five hundred dollars per annum, and in addition thereto all necessary expenses and transportation for work performed in the field; *provided*, that in counties of this class, there shall be and there hereby is allowed to the Surveyor one chief deputy and five draughtsmen, who shall be appointed by the Surveyor of said county, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; four draughtsmen at a salary of one hundred dollars each per month; and one draughtsman at a salary of seventy-five dollars per month. The salaries of the chief deputy and draughtsmen herein provided for, shall be paid by said county in monthly installments, at the same time and in the same manner as the deputies of other county officers are paid.

"13. Supervisors, one thousand eight hundred dollars per annum, together with mileage, at the rate of ten cents per mile for each mile actually traveled by them in the discharge of their duties, either as Road Commissioners or Supervisors, not exceeding in the aggregate five hundred dollars each per annum. They shall also receive their necessary expenses when attending meetings of the State Board of Equalization.

"14. Justices of the Peace, such fees as are now or may be hereafter allowed by law; *provided*, that no Justice of the Peace shall receive more than one thousand dollars per annum, which may be paid in monthly installments of not exceeding eighty-three and one third dollars per month, for all services rendered by him in all criminal cases, or in actions or proceedings to which the people of the State of California are or may be parties; and no claim of any such Justice of the Peace in excess of said sum of one thousand dollars per annum, or the installments thereof, as aforesaid, shall be allowed or paid; but all fines and fees collected by every such Justice on the account aforesaid shall belong to and be the property of the county in which such Justice exercises his jurisdiction. And each of such Justices shall report, under oath, on the first Monday of each month, to the Board of Supervisors of such county, the amount of all fines and fees collected by him, on the account aforesaid, during the preceding month, and shall, on said date, deposit with the County Treasurer, to the credit of the county, all such fines and fees as may be shown by said report to have been collected by him. He shall also transmit the Treasurer's receipt for said payment to said board with their said report; *provided further*, that the Boards of Supervisors of such counties may, in townships having a population of more than thirty-five thousand, provide such Justices, or any of them, with an office and the necessary furniture and supplies for the Justice's Court.

"15. Constables, such fees as are now or may hereafter be allowed by law; *provided*, that no Constable shall receive more than one thousand dollars per annum, which may be paid in monthly installments of not exceeding eighty-three and one third dollars per month for all services rendered by him in all criminal cases, or in actions or proceedings to which the people of the State of California are or may be made parties; and no claim of any such Constable, in excess of said sum of one thousand dollars per annum, or the installments thereof, as aforesaid, shall be allowed or paid; but all fees collected by every such Constable, on the account aforesaid, shall belong to and be the property of the county in which Constable has been elected or appointed. And each of said Constables shall report under oath, on the first Monday of each month, to the Board of Supervisors of such county, the amount of all fees collected by him on the account aforesaid during the preceding month, and shall on said date deposit with the County Treas-

urer, to the credit of the county, all such fees as may be shown by said report to have been collected by him. He shall also transmit the Treasurer's receipt for said payment to said board, with his said report.

"16. This section and all subdivisions and parts thereof shall be in force and take effect from and after the passage of this Act."

Also: Amend title of Assembly Bill No. 383 to read as follows: "An Act to amend Section 159 of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897."

Motion carried, and it was so ordered.

Mr. Huber was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½, respectively—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

HUBER, Committee.

Report adopted.

Assembly Bill No. 383 ordered to print, reengrossment, and final passage.

Assembly Bill No. 432—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding and amending sections thereof relating to proceedings supplementary to the execution.

The question being, "Shall the bill be read third time?"

The roll was called, and the bill refused third reading by the following vote:

AYES—Messrs. Arnerich, Caminetti, Griffin, Hoey, Merrill, Rickard, Eugene Sullivan, E. D. Sullivan, and White—9.

NOES—Messrs. Atherton, Barry, Beecher, Brooke, Brown, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Feliz, Glenn, Hanley, Huber, Jilson, Johnson, Knights, Lardner, Lundquist, Marvin, McKeen, Meserve, Milice, Miller of San Francisco, Pierce, Raub, Sanford, Stewart, Valentine, Wade, Wardell, Works, and Mr. Speaker—39.

NOTICE OF MOTION TO RECONSIDER.

Mr. Miller of San Francisco gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 432 was this day refused third reading.

ADJOURNMENT.

At ten o'clock and fifty-five minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, March 10, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 10, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Robinson.

The Journal of Wednesday, March 8, 1899, was read and approved.

LEAVE OF ABSENCE.

On motion of Mr. Belshaw, Mr. Bliss was granted leave of absence for the day.

RECONSIDERATION OF APPROVAL OF JOURNALS.

Mr. Kelley moved that the vote whereby the Journals of Monday, February 13, and Friday, February 17, 1899, were approved, be reconsidered.

Motion carried.

RESOLUTION.

Mr. Kelley introduced the following:

Resolved, That the Journal of Monday, February 13, 1899, be and it is hereby corrected so as to show that Assembly Bill No. 39—An Act to appropriate money to pay the Directors of the California Institute for the Deaf, Dumb, and Blind, for the concrete guttering, culverting, and macadamizing of Waring Street, in front of the lands of the Institute of the Deaf, Dumb, and Blind, at Berkeley, California, which work was performed and materials furnished under a contract with Guy Hyde Chick, Superintendent of Streets of the town of Berkeley, California, his authority having been acquired under the general street law of this State—was not only amended on that day, but "read second time" as well; also, that the Journal of Friday, February 17, 1899, be and it is hereby corrected to show that the title of said bill was read and approved immediately following the roll call on the passage of bill, all of these being facts, evidenced by the other records of the Assembly.

Resolution adopted.

Mr. Kelley moved that the Journals of February 13th and 17th, as corrected, be approved.

Motion carried, and it was so ordered.

COMMUNICATION.

The following communication and certified copy of Assembly Joint and Concurrent Resolution No. 7 from the State of Nevada were received and read:

ASSEMBLY JOINT AND CONCURRENT RESOLUTION NO. 7.

Relative to requesting the Legislature of the State of California to support the Lake Tahoe Wagon Road, and urging upon that body the necessity for a suitable appropriation for the proper maintenance of the same.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of Nevada, at the nineteenth regular session, commencing on the sixteenth day of January, Anno Domini eighteen hundred and ninety-nine, that recognizing the advantages that accrue to both the states of Nevada and California by the maintenance of the Lake Tahoe Wagon Road, which offers a cheap, direct and easy means of communication between said States, affording commercial and other opportunities; and

WHEREAS, A bill has been introduced in the Legislature of California to make a suitable appropriation for the reconstruction of the bridges, and to provide for the proper maintenance of said highway; be it further

Resolved, That we earnestly ask the support of the California State Legislature to the end that said highway may be properly repaired and maintained; and be it further

Resolved, That the Governor of the State of Nevada be and he hereby is requested to cause a certified copy of these resolutions to be mailed to the Governor, the Senate, and the Assembly of the State of California at Sacramento.

STATE OF NEVADA, EXECUTIVE CHAMBER, {
CARSON CITY, NEV, March 8, 1899. }

I, Reinhold Sadler, Governor of the State of Nevada, do hereby certify and declare that the annexed and foregoing printed copy of Assembly Joint and Concurrent Resolution No. 7 is true and correct, and that the said resolution was duly enacted and approved on the 4th day of March, 1899.

In witness whereof I have hereunto set my hand and affixed my official seal this eighth day of March, 1899.

[SEAL.]

REINHOLD SADLER, Governor.

RESOLUTIONS.

By Mr. Belshaw:

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to acknowledge the receipt of the joint resolution from the Legislature of the State of Nevada, and to say that the matter involved has already received the favorable attention of this Assembly.

Resolution adopted.

By Mr. Merritt:

Resolved, That E. A. Rizer be directed to prepare an index to the Assembly Journal upon the same plan as the index to the Senate Journal has been prepared; that upon the completion of said work the Controller be directed to draw his warrant in favor of E. A. Rizer for the sum of \$100 upon the Contingent Fund of the Assembly, and the State Treasurer be directed to pay the same.

Mr. Merritt moved that the resolution be referred to the Committee on Attachés and Employés.

Motion lost.

Mr. Wright moved that the resolution be referred to the Committee on Engrossment and Enrollment.

So ordered.

By Mr. Valentine:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of L. H. Valentine for the sum of \$71.25 to pay the necessary contingent expenses of the Committee on Ways and Means, and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Sunset Telephone Company.....	\$5 75
W. F. Purnell.....	1 50
Wycoff, Seamans & Benedict.....	34 00
F. M. Jones.....	25 00
L. H. Valentine, stamps for committee correspondence.....	5 00
	<hr/> \$71 25

Resolution adopted.

By Mr. Caminetti:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$206 05 in favor of Morris Brooke, to be by him distributed in accordance with the itemized bill hereto annexed.

Expenses incurred by Morris Brooke, Assemblyman from the Twenty-Second Assembly District of the State of California, in the matter of the contest instituted by William Johnston:

Fee of attorney.....	\$100 00
Services of watchman at place of deposit of ballots.....	10 00
Tally clerk.....	5 00
Incidental expenses, incurred in securing evidence.....	17 50
County Clerk's costs, filing answer.....	2 00
Notary fees, verifying answer.....	50
Services of J. S. Hoggess, serving nineteen subpoenas, at 25 cents apiece.....	4 75
One hundred miles traveled serving nineteen subpoenas, at 25 cents per mile.....	25 00

Witness Fees.

Charles Conley, Clay Station, one day attendance, thirty-four miles traveling.....	4 40
Peter Schulps, Cosumnes, one day attendance, twenty miles traveling.....	3 00
S. B. Moore, Cosumnes, one day attendance, twenty miles traveling.....	3 00
D. L. Davis, Arno, one day attendance, twenty miles traveling.....	3 00
Dennis Moroney, Arno, one day attendance, twenty miles traveling.....	3 00
David Coons, Elk Grove, one day attendance, sixteen miles traveling.....	2 60
Fred Strader, Elk Grove, one day attendance, sixteen miles traveling.....	2 60
George Menke, Rontier's, one day attendance, eleven miles traveling.....	2 10
Charles Studarus, Rontier's, one day attendance, eleven miles traveling.....	2 10
J. E. Camp, Perkins, one day attendance, nine miles traveling.....	1 90
William Fey, Perkins, one day attendance, eight miles traveling.....	1 80
C. C. Carpentier, Swiss Station, one day attendance, five miles traveling.....	1 50
J. H. Hayden, Oak Park, one day attendance, five miles traveling.....	1 50
J. W. Hall, Oak Park, one day attendance, five miles traveling.....	1 50
J. A. Ried, Oak Park, one day attendance, five miles traveling.....	1 50
Fred Higgs, Oak Park, one day attendance, five miles traveling.....	1 50
C. D. Brooks, Oak Park, one day attendance, five miles traveling.....	1 50
Antone Koch, Oak Hall, one day attendance, four miles traveling.....	1 40
Frank O'Brien, Oak Hall, one day attendance, four miles traveling.....	1 40
Total.....	<hr/> \$206 05

On motion of Mr. Caminetti, the resolution and itemized statement were ordered printed in the Journal.

Mr. Johnson moved to take from the table Assembly Concurrent Resolution No. 19, providing for the adjournment *sine die* of the Legislature, March 11, 1899.

The ayes and noes were demanded by Messrs. Dibble, Johnson, and Milice.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Belshaw, Boone, Boynton, Caminetti, Cargill, Chynoweth, Clark, Cosper, Cowan, Fairweather, Feliz, Glenn, Hoey, Jilson, Johnson, La Barea, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, Robinson, and Sanford—26.

NOES—Messrs. Atherton, Beecher, Blood, Brown, Clough, Cobb, Crowder, Dale, De Lancia, Dibble, Dunlap, Griffin, Henry, Huber, Kenneally, Knights, Knowland, Lardner, Marvin, McKeen, Merrill, Merritt, Milice, Radcliff, Raub, Richard, Stewart, Valentine, Wade, Wright, and Mr. Speaker—31.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 51—An Act amending Section 167 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUBER, Chairman

Assembly Bill No. 51 ordered on second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 359—An Act to regulate the practice of architecture—report the same back, with the recommendation that it do pass

JOHNSON, Chairman.

Senate Bill No. 359 ordered on Senate special file.

SPECIAL ORDERS.

Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Mr. Cobb moved that Assembly Bills Nos. 728 and 729 be made special order for Monday next.

So ordered.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Passed on file.

UNFINISHED BUSINESS.

Consideration of notice of motion to reconsider made by Mr. McKeen.

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

On motion of Mr. McKeen, Senate Bill No. 414 was continued for one day.

Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

Stricken from the file.

Senate Bill No. 127—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Chynoweth, Clark, Clough, Cobb, Crowder, Dale, Dibble, Fairweather, Feliz, Glenn, Griffin, Henry, Huber, Jilson, Johnson, Kenneally, Knights, Le Baron, Mack,

Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Raub, Rickard, Robinson, Sanford, Stewart, Valentine, Wade, Wright, and Mr. Speaker—48.
NOES—None.

Title read and approved.

Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Mr. Belshaw moved that the Assembly concur in the following Senate amendment:

Amend by striking out of Section 4, line 4, the word "thereupon," and inserting the following: "on or after the first day of January, nineteen hundred."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brown, Burnett, Cargill, Chynoweth, Cobb, Cowan, Crowder, Dale, Devoto, Dunlap, Fairweather, Feliz, Hanley, Henry, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, Mead, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—47.
NOES—Messrs. Melick and Meserve—2.

Assembly Bill No. 597 ordered to reëngrossment and enrollment.

Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employés of the Commissioner of Public Works.

Mr. Belshaw moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out all of Section 3, and inserting the following:
"Sec. 3. This Act shall take effect on or after January first, nineteen hundred."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Cargill, Chynoweth, Clough, Cobb, Cosper, Cowan, Dale, Devoto, Dunlap, Fairweather, Feliz, Henry, Huber, Jilson, Kelley, Kelsey, La Barea, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Valentine, Wardell, and Mr. Speaker—42.
NOES—None.

Assembly Bill No. 662 ordered to reëngrossment and enrollment.

Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California.

Mr. Caminetti was granted unanimous consent to withdraw his amendment as submitted yesterday.

Mr. Caminetti moved to refer to a select committee of one to amend as follows:

Add to Section 1 the following: "*provided*, that this section shall not be construed to prevent the taking down or removal of such wires when they have been placed on a building or in enclosed lands without the consent of the owner thereof."

The ayes and noes were demanded by Messrs. Caminetti, Dibble, and Belshaw.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Kelsey, Knights, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuol-

umne, McKeen, Merrill, Merritt, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, and White—51.

NOES—Messrs. Boone, Dale, Dibble, Johnson, Knowland, Melick, Meserve, Miller of Los Angeles, and Rickard—9.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CAMINETTI, Committee.

Report adopted.

Mr. Crowder was granted unanimous consent to withdraw his amendments to Senate Bill No. 337, submitted yesterday.

Senate Bill No. 337 ordered to print and third reading.

Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Consideration of motion to reconsider made by Mr. Cosper.

Mr. Cosper moved continuation of motion until Monday.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That Lloyd Childs be and he is hereby appointed clerk of the Committee on Counties and County Boundaries, said appointment to date from and including February 1, 1899.

That the per diem for said services be paid out of the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant therefor, and the State Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Boynton, Brooke, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Glenn, Henry, Hoey, Huber, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Sanford, Eugene Sullivan, Wade, Wright, and Mr. Speaker—55.

NOES—Messrs. Belshaw, Crowder, Dale, Lardner, and Robinson—5.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rule under the provisions of Standing Rule LXVI:

"There shall be prepared at once by the Committee on Rules and Regulations a special urgency file, to consist of bills to be selected in the following manner:

"Each member shall present to the Committee on Rules and Regulations the number of any one particular bill which he desires to be taken up, such bill to be selected from any file, and when such list of bills shall have been completed, the Committee on Rules and Regulations, in the presence of the House, shall cause the names of all the members to be placed in a hat, and they shall be drawn therefrom by chance.

"The bills shall then be arranged in the order in which the names are drawn, and a

special urgency file shall be thus made. Such file shall be considered at evening sessions, commencing on Saturday evening, March 11, 1899, and shall be continued at evening sessions until all of such bills have been acted upon.

"During the consideration of such special urgency file no bill shall be considered if objection thereto is made by at least seven members of the Assembly. But if a bill is thus objected to by seven members, the member who has placed such bill upon the file shall have the right to call up another bill in its place, under the same regulation as to objections.

"Debate upon bills upon such special urgency file shall be limited to five minutes on each bill, one half of which time shall be allowed to those favoring the bill, and the remainder of the time to those in opposition.

"During the consideration of such special urgency file no other business shall be in order, except by unanimous consent.

"Each evening session shall last at least three hours."

DIBBLE, Chairman.

Mr. Dibble moved the adoption of the report.

Motion carried.

Mr. Mead moved that Assembly Bill No. 383 be detained in the House for correction.

So ordered.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER, }
Friday, March 10, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve,

Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, March 9, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, March 9, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Cutter, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For James D. Phelan—Senator Hall—1.

For W. W. Foote—Senators Braunnhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Prisk, and Sims—9.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr. received	7 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote
James D. Phelan received	1 vote.
W. W. Foote received	9 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—17.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—19.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Bree—3.

For W. W. Foote—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—20.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	76
W. H. L. Barnes received.....	15 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	17 votes.
U. S. Grant, Jr., received.....	19 votes.
Irving M. Scott received.....	3 votes.
W. W. Foote received.....	20 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	112
Necessary to a choice.....	57
W. H. L. Barnes received.....	22 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	25 votes.
U. S. Grant, Jr., received.....	26 votes.
Irving M. Scott received.....	6 votes.
John Rosenfeld received.....	2 votes.
James D. Phelan received.....	1 vote.
W. W. Foote received.....	29 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-seven minutes P. M., Assemblyman Dibble moved to adjourn until Saturday, March 11, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, March 11, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-eight minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

MOTION TO RECONSIDER.

Mr. Huber moved to reconsider the vote whereby Assembly Bill No. 383 was ordered to print and reëngrossment.

Motion carried.

Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½, respectively.

Mr. Huber moved that a select committee of one be appointed, with instructions to amend as follows:

Amend by inserting after the enacting clause the following:

"SECTION 1. Section 159 of an Act entitled 'An Act to establish a uniform system of

county and township governments,' approved April 1, 1897, is hereby amended to read as follows."

Motion carried, and it was so ordered.

Mr. Huber was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½, respectively—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

HUBER, Committee.

Report adopted.

Assembly Bill No. 383 ordered to print, engrossment, and third reading.

SENATE SPECIAL FILE.

Senate Bill No. 72—An Act to promote the safety of employes and passengers upon street railroads, by compelling equipment of cars and dummies with fenders and brakes, and to prescribe penalties.

Pending roll call on final passage under operation of previous question ordered.

Mr. Dibble moved the previous question.

Seconded by Messrs. Belshaw and Works.

The ayes and noes were demanded by Messrs. O'Brien, Wardell, and Feliz.

The question being, "Shall the main question be now put?"

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Barry, Belshaw, Boone, Brooke, Cargill, Clough, Cobb, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Henry, Huber, Jilson, Johnson, Kelley, Kenneally, Le Baron, Lundquist, Marvin, McDonald of Alameda, McKeen, Melick, Merritt, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—39.

NOES—Messrs. Beecher, Blood, Brown, Burnett, Caminetti, Conrey, Cowan, Feliz, Hoey, Knowland, Lardner, Mack, McDonald of Tuolumne, Meserve, Muentner, O'Brien, Stewart, Wardell, and White—19.

The amendment submitted by Mr. O'Brien was lost.

The amendment submitted by Mr. Merrill was lost.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Fairweather, Glenn, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Milice, O'Brien, Pierce, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—52.

NOES—Messrs. Brown, Crowder, Merrill, Merritt, Meserve, Radcliff, Wardell, and Works—8.

Title read and approved.

Senate Bill No. 27 (Substituted for Assembly Bill No. 732)—An Act amending the Civil Code of the State of California, adding thereto three new sections, to be numbered 494, 495, and 496, authorizing the purchase or lease by railroad corporations created under the laws of this State, or of any other State or Territory, or of the United States, which are now or hereafter may be doing business as common carriers in this State, of any or all of the property and franchises owned, situated, held,

or used wholly or partially in this State by any railroad company created under the laws of this State, or of any other State or Territory, or of the United States, which is now, or hereafter may be, doing business as a common carrier in this State, and authorizing the sale or lease by any such corporation, as above mentioned, of any such property, or franchises, or both, which it may own, use, or hold, wholly or partially, in this State.

Read third time.

Mr. Caminetti moved that Substitute for Senate Bill No. 27, introduced by Senator Simpson, be referred to a special committee of one with instructions to amend the same to read as follows:

Strike out all after the words "An Act" where they first occur in title of said bill, and insert the following:

"Amending the Civil Code of the State of California by adding thereto a new section, to be numbered 494, authorizing the sale by any railroad company owning any railroad in this State, of all of its capital stock or any part thereof, to any other railroad company, whether organized under the laws of this State or of any other State or Territory, or under any Act of Congress, prescribing the conditions under which such capital stock so sold may be owned and enjoyed, and prescribing a penalty for the violation of this Act.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. A new section is hereby added to the Civil Code of the State of California, to be numbered section four hundred and ninety-four, to read as follows:

"494. Any railroad corporation owning any railroad in this State may sell, convey, and transfer all of its capital stock, or any part thereof, to any other railroad corporation, whether organized under the laws of this State or of any other State or Territory, or under any Act of Congress; and any other such railroad corporation receiving such conveyance may hold and operate such railroad within this State, and may build and operate extensions and branches thereof, and thereunto exercise the right of eminent domain, and do any other business in connection therewith, as fully and effectually to all intents and purposes as if such corporation were organized under the laws of this State; *provided*, that such sale, conveyance, and transfer shall be made within three years from the date this section shall take effect; *and provided further*, that before such sale, conveyance, or transfer shall become operative, an agreement in writing must be executed by the parties thereto, containing the terms and conditions of the purchase and sale, and its execution must be authorized by the Board of Directors and ratified by three fourths of the stockholders of each of the railroad companies that are parties to such conveyance and transfer, and said agreement or conveyance shall be recorded in each county through which said road or roads pass in this State; *and provided further*, that no sale, conveyance, or transfer under the provisions of this section shall relieve the capital stock sold, conveyed, or transferred from the liabilities of the grantor which may have been contracted or incurred in the operation, use, or enjoyment of such capital stock or property, or of any of its privileges, *and provided further*, that this section shall not authorize any corporation to purchase the capital stock, or any portion thereof, of any railroad corporation operated in competition with it; *and provided further*, that any or all established rates for fares and tolls for carrying passengers or freight between any points upon any railroad whose capital stock or any portion thereof may be purchased under the provisions of this section, shall not be increased; *and provided further*, that whenever a railroad corporation which has purchased the capital stock, or any portion thereof, of any other railroad corporation under the provisions of this section, shall, for the purpose of competing with any other common carrier, or otherwise, lower its rates for transportation of passengers or freight from one point to another upon the line of such corporation, such reduced rates shall not be again raised or increased from such reduced standard; *and provided further*, that a sale, conveyance, or transfer under the provisions of this section shall in no wise affect the powers of this State over any corporation whose capital stock, or any portion thereof, may be sold as aforesaid, or over its properties, charter, and franchise, or the power of this State to alter, revise, amend, or repeal the charter or franchise of such corporation, or the power of this State to fix or determine the rates of fares and freight over the lines thereof; *and provided further*, that for every violation of the provisions of this section on the part of the directors, or other governing officers, of any such corporation affected by the provisions hereof, the State shall be entitled to recover from such offending railroad company the sum of fifty thousand dollars. It is hereby declared to be the duty of the Attorney-General of this State, in the event of any such violation, to demand and collect from such company the said penalty; and he is hereby authorized and empowered to prosecute all the necessary actions, in the name of the people of the State of California, against such company in the courts of this State. All money so collected shall be paid into the General Fund of this State.

"SEC. 2. This Act shall take effect immediately."

The ayes and noes were demanded by Messrs. Caminetti, Wardell, and Burnett.

The roll was called, and the motion to appoint a select committee was lost by the following vote:

AYES—Messrs. Boone, Burnett, Caminetti, Clough, Cowan, Feliz, Hoey, Mack, Melick, O'Brien, Robinson, Sanford, Wardell, and White—14.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Brooke, Brown, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Griffin, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Pierce, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—56.

Mr. Caminetti moved that Substitute for Senate Bill No. 27, introduced by Senator Simpson, be referred to a select committee of one, with instructions to amend the same as follows:

Insert after the word "freights," line 50, page 3, Section 1, the following: "*and provided further, that a sale, conveyance, or transfer under the provisions of this section shall in no wise affect the powers of this State over any corporation whose capital stock, or any portion thereof, may be sold as aforesaid, or over its properties, charter, and franchise, or the power of this State to alter, revise, amend, or repeal the charter or franchise of such corporation, or the power of this State to fix or determine the rates of fares and freight over the lines thereof.*"

The ayes and noes were demanded by Messrs. Caminetti, Brooke, and Mead.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Boone, Brown, Burnett, Caminetti, Cowan, Fairweather, Feliz, Hoey, Mack, Melick, O'Brien, Robinson, Sanford, Wardell, and White—15.

NOES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Griffin, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milce, Miller of Los Angeles, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—52.

Mr. Caminetti moved that Senate Bill No. 27 be referred to a select committee of one, with instructions to amend as follows:

Strike out in lines 33, 34, 35, and 36, page 2, Section 1, the words "corporations operating any railroad or part of a railroad under lease shall be entitled to purchase such leased property (whether competitive or otherwise) under the provisions and subject to the conditions of this Act," and insert the following: "that corporations operating branches, separate and distinct from the main or trunk line of a competing corporation, may nevertheless purchase the same under the provisions of this section"

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Atherton, Belshaw, Boone, Brooke, Brown, Burnett, Caminetti, Clark, Cowan, Crowder, Dunlap, Fairweather, Feliz, Hoey, Mack, Mead, Melick, O'Brien, Robinson, Sanford, Wardell, White, and Works—23.

NOES—Messrs. Arnerich, Barry, Beecher, Blood, Cargill, Chynoweth, Clough, Cobb, Conrey, Cosper, Dale, De Lancie, Devoto, Dibble, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Miller of Los Angeles, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—41.

Mr. O'Brien moved that a select committee of one be appointed to amend Substitute for Senate Bill No. 27 as follows:

Strike out the word "Act" in line 17, page 2, printed bill, and insert in lieu thereof the word "section."

Also: Strike out the words "this Act" in line 27, and insert in lieu thereof the words "the provisions of this section."

Also: Strike out the word "Act" in line 36, and insert in lieu thereof the word "section."

Also: Strike out the word "Act" in line 39, and insert in lieu thereof the word "section."

Also: Strike out the words "this Act" in line 44, and insert in lieu thereof the words "the provisions of this section."

Also: Strike out the word "Act" in line 51, page 3, and insert in lieu thereof the word "section."

Motion lost.

Mr. Valentine moved the previous question.

Seconded by Messrs. Dibble and Wright.

The question being, "Shall the main question be now put?"

So ordered.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Brooke, Brown, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowly, Dale, DeLancie, Devoto, Dibble, Dunlap, Fairweather, Griffin, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Pierce, Radcliff, Raub, Raw, Rickard, Eugene Sullivan, Valentine, Wade, Works, Wright, and Mr Speaker—56.

NOES—Messrs. Burnett, Caminetti, Cowan, Feliz, Hoey, Mack, Mead, O'Brien, Robinson, Sanford, Wardell, and White—12.

Title read and approved.

EXPLANATION OF VOTE.

I would have voted for this bill had the amendment been adopted striking out the provision giving a company the right to buy a competing road.

MEAD.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 809 and (reengrossed) 756.

Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of the Town Talk Publishing Company against the State of California, and making appropriation therefor.

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

RICKARD, Chairman.

Assembly Bills Nos. 809 and 756 ordered on third-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 712, 764, and 628.

Assembly Bill No. 712 (Substitute for Assembly Bill No. 18)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and secure the site, and submit sketch plans and specifications therefor; to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes, looking to the confinement

of incorrigibles at Folsom Prison; to enlarge said prison for that purpose and to the confinement of prisoners capable of reformation at such reformatory when established, and to make an appropriation for such purposes.

RICKARD, Chairman.

Assembly Bills Nos. 712, 764, and 628 ordered on file for final passage.

MOTION.

By Mr. Johnson:

I move that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows:

"An Act to appropriate the sum of five thousand dollars out of any money not otherwise appropriated for the purpose of enabling the people of the State of California to suitably entertain Admiral George Dewey and any of his subordinates who may accompany him when he visits this State, and to authorize the Governor to invite Admiral Dewey to visit the State, and to expend such money in such manner as the Governor may deem proper."

The glorious deeds of Admiral Dewey and his sailors and marines have stirred the patriotic feelings of every American. He is coming home shortly via California. We should entertain him royally. The reception should be by the people of California, paid for by the State, under the direction of the Governor.

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same with the recommendation that the author be permitted to introduce it. The number of said bill is 1004.

COBB, Chairman.

Report adopted.

The question being on the suspension of the provision of the Constitution relating to the introduction of bills after the fiftieth day.

The roll was called, and the provision of the Constitution suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowley, Dale, De Lancia, Dibble, Feliz, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—53.

NOES—Mr. Crowder—1.

INTRODUCTION OF BILL.

By Mr. Johnson: Assembly Bill No. 1004—An Act to appropriate the sum of \$5,000 out of any money not otherwise appropriated for the purpose of enabling the people of the State of California to suitably entertain Admiral George Dewey and any of his subordinates who may accompany him when he visits this State, and to authorize the Governor to invite Admiral Dewey to visit the State, and to expend such money in such manner as the Governor may deem proper.

Read first time.

Mr. Johnson moved that the bill be made special order for to-morrow at eleven o'clock A. M.

So ordered.

MOTION.

Mr. Dunlap moved that Senate Bill No. 205 (45 on file) be read third time, for the purpose of amendment.

So ordered.

Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

Read third time.

Mr. Dunlap moved that a select committee of one be appointed to amend Senate Bill No. 205 as follows:

Amend the title of said bill by striking out the whole thereof, and inserting in lieu of same the following:

"An Act to authorize and empower any agricultural societies which have heretofore been formed and are now existing under and by virtue of an Act of the Legislature of the State of California entitled 'An Act concerning agricultural societies,' approved March 12, 1859, and to authorize and empower any agricultural associations which have heretofore been formed and are now existing under and by virtue of an Act of the Legislature of the State of California entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, or under and by virtue of any Acts of the Legislature of the State of California amendatory of said Acts of March 12, 1859, and April 15, 1880, to borrow money and secure the payment of the same, or to sell property to pay the existing debts of such societies or organizations."

Also: Amend by striking out all after the enacting clause, and inserting in lieu of same the following:

"SECTION 1. Any agricultural societies which have heretofore been formed and are now existing under and by virtue of an Act of the Legislature of the State of California entitled 'An Act concerning agricultural societies,' approved March 12, 1859, and any agricultural associations which have heretofore been formed and are now existing under and by virtue of an Act of the Legislature of the State of California entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by State,' approved April 15, 1880, or under and by virtue of any Act or Acts amendatory of said Acts of March 12, 1859, and April 15, 1880, may borrow money and secure the payment of such indebtedness by deed of trust or mortgage upon the real property of any such society or association upon obtaining an order for that purpose from the Superior Court of the county in which the property is situate.

"SEC. 2. Before making the order, proof must be made to the satisfaction of the court that notice of the application to borrow money, to make and execute such mortgage or deed of trust, or to make such sale and conveyance, has been given by publication in such manner and for such time as the court or the judge thereof has directed, and that it is for the interest of such association or society that leave should be granted as prayed for. The application must be made by petition, and any member of the society or association may oppose the granting of the order by affidavit or otherwise. If the court shall, after full hearing, determine that it would be for the interest of such association or society to grant such leave, it shall make an order to that effect, otherwise it shall deny such application.

"SEC. 3. This Act shall take effect immediately."

Motion carried, and it was so ordered.

Mr. Dunlap was appointed such select committee of one.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DUNLAP, Committee.

Report adopted.

Senate Bill No. 205 ordered to print and final passage.

Mr. Dunlap moved that Senate Bill No. 205 be made special order for Monday next.

So ordered.

MOTION.

Mr. Belshaw moved that Senate Bill No. 731 be taken up out of order at this time and given second reading.

So ordered.

Senate Bill No. 731—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 64½, relating to elections, by providing for the punishment of offenses at primary elections.

Read second time, ordered to engrossment and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Blood:

Resolved, That Mrs. A. B. Campbell be and hereby is appointed Assistant Janitress of the ladies' cloakroom, at a per diem of \$3, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Caminetti moved that Senate Bill No. 282 be taken up for consideration at this time.

So ordered.

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Read third time.

Mr. Caminetti moved that a select committee of one be appointed, with instructions to amend as follows:

Amend by inserting after the word "dollars," in line 3, Section 1, the following: "or so much thereof as may be necessary."

Also: Amend by adding at the end of Section 2 the following: "*provided*, that no expenditures shall be made under the provisions of this Act until the plans therefor have been submitted to and approved by the State Board of Examiners."

Also: Amend Section 4 of the bill by striking out the words "from and after its passage" and inserting in lieu thereof the following: "January first, nineteen hundred."

Motion carried, and it was so ordered.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CAMINETTI, Committee

Report adopted.

Senate Bill No. 282 ordered to print and final passage.

RECESS.

At five o'clock and fifty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M.
Speaker Anderson in the chair.

SPECIAL ORDER SET.

Mr. Atherton moved that Assembly Bill No. 764 be made a special order for to-morrow.
So ordered.

LEAVE OF ABSENCE.

Mr. Johnson was granted leave of absence for the evening, on motion of Mr. Dunlap.

Mr. Huber was granted leave of absence for the evening, on motion of Mr. Milice.

SPECIAL ORDER SET.

Mr. Cobb moved that Assembly Bill No. 697 be made special order for to-morrow.
So ordered.

WAYS AND MEANS APPROPRIATION BILLS FILE.

Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Boone, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Hanley, Henry, Hoey, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milice, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, White, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil B. Dankey, for printing the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Glenn, Hanley, Henry, Hoey, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, White, Works, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 407—An Act making an appropriation to pay the claim of the Capital, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Brooke, Brown, Caminetti, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Jilson, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, White, Works, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

At eight o'clock and fifteen minutes P. M., the Speaker called Mr. Hoey to the chair.

Assembly Bill No. 876—An Act to appropriate the sum of \$470 to pay the claim of E. C. Rust, for money due from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Burnett, Caminetti, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Jilson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, Works, and Wright—45.

NOES—None.

Title read and approved.

Assembly Bill No. 864—An Act to provide for the payment for advertising of the constitutional amendments, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Burnett, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Jilson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Wade, White, Works, and Wright—50.

NOES—None.

Title read and approved.

Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Henry, Hoey, Jilson, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, Stewart, Wade, Works, and Wright—48.

NOES—None.

Title read and approved.

Assembly Bill No. 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Crowley, Dale, De Lancia, Dibble, Fairweather, Glenn, Griffin, Hanley, Hoey, Jilson, Kelley, Knowland, La Barea, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Wardell, Works, and Wright—46.

NOES—None.

Title read and approved.

Assembly Bill No. 795—An Act to provide for the payment of \$125 to F. B. Colver, the proprietor of the Labor World and Silver Champion, for advertising of constitutional amendments, and to make appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Crowder, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Wade, and Works—46.

NOES—None.

Title read and approved.

Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising constitutional amendments, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Kelley, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Works, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of the Town Talk Publishing Company against the State of California, and making appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Crowley, Dale, De Lancia, Dibble, Dunlap, Glenn, Griffin, Hanley, Hoey, Kelley, Kenneally, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milce, Miller of Los Angeles, O'Brien, Radcliff, Raub, Sanford, Stewart, Wade, Wardell, Works, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 785—An Act to provide for the payment of \$200 to J. K. Spect, proprietor of the Willows Promoter, for advertising the constitutional amendments, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Griffin, Hanley, Hoey, Kelley, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Sanford, Stewart, Wade, Wardell, Works, and Wright—43

NOES—None.

Title read and approved.

Assembly Bill No. 840—An Act to appropriate the sum of \$308 to pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Griffin, Hanley, Hoey, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Raub, Sanford, Stewart, Wade, Wardell, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 822—An Act to provide for the payment of \$180 to John McGonigle, the proprietor of the Ventura Democrat, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Crowley, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelley, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Sanford, Stewart, Wade, Wardell, White, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 908—An Act making an appropriation to pay the claim of the Butchers and Stockgrowers' Journal, for publishing constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelley, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Sanford, Wade, Wardell, Works, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Schorn, proprietor of the Daily Willows Journal, for advertising constitutional amendments, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Crowder, Dale, De Lancie, Dibble, Dunlap, Glenn, Hoey, Kelley,

Kelsey, Knowland, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, White, Works, Wright and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 865—An Act to provide for the claim of W. A. Spalding of the Herald Publishing Company of Los Angeles.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Burnett, Caminetti, Clough, Conrey, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelley, Kelsey, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Wardell, White, Works, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Melick moved to reconsider the vote whereby Assembly Bill No. 447 was yesterday finally passed, and further moved to lay the motion to reconsider on the table.

Motion carried.

Mr. Melick moved that Assembly Bill No. 447 be immediately transmitted to the Senate.

So ordered.

WAYS AND MEANS APPROPRIATION BILLS FILE—(RESUMED).

Assembly Bill No. 863—An Act to provide for the payment of the claim of the Blue Lake Advocate, for advertising constitutional amendments, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelley, Kelsey, Kenneally, La Barea, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Wardell, White, and Works—45.

NOES—None.

Title read and approved.

Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelley, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Wade, Wardell, White, and Works—45.

NOES—None.

Title read and approved.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelley, Kelsey, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Wade, Wardell, White, and Works—44.

NOES—None.

Title read and approved.

Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Conrey, Cowan, Crowley, De Lancie, Dibble, Dunlap, Glenn, Griffin, Hanley, Hoey, Kelsey, Kenneally, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Wade, White, and Works—45.

NOES—None.

Title read and approved.

Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Henry, Hoey, Kelley, Kelsey, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Wade, Wardell, White, Works, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKean, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Wade, Wardell, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 958—An Act making an appropriation to pay the

claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Glenn, Hanley, Henry, Hoey, Kelsey, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Wade, Wardell, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 836—An Act making an appropriation to pay the claim of the Herald Publishing Company, San José, for advertising the constitutional amendments for the year 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Glenn, Hanley, Hoey, Kelsey, Kenneally, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Wade, Wardell, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Read third time.

Mr. Knowland moved that a select committee of one be appointed to amend the bill as follows:

Amend by striking out of Section 1, line 3 of amended bill, the word "three" and inserting in lieu thereof the word "four."

Also: By striking out of Section 2, line 3, the word "three" and inserting in lieu thereof the word "four."

Also: Strike out of first line of title the figures "300" and insert in lieu thereof the figures "400."

Motion carried, and it was so ordered.

Mr. Knowland was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

KNOWLAND, Committee.

Report adopted.

Assembly Bill No. 828 ordered to print, reengrossment, and final passage.

Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas M. Menihan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Brooke, Brown, Caminetti, Clough, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Kenneally, Knowland, Le Baron, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Wade, Wardell, Works, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due him from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clough, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Kelsey, Kenneally, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McClatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Hanley, Hoey, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 856—An Act making an appropriation to pay the claim of the Appeal Publishing Company, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Beecher, Belshaw, Blood, Boone, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Hanley, Hoey, Kelley, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wade, Wardell, White, Works, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassiday, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Blood, Boone, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Fairweather, Glenn, Hoey, Kelley, Kenneally, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Raub, Rickard, Robinson, Sanford, Wade, Wardell, White, Works, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Bill No. 801—An Act providing for the payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Brooke, Burnett, Cargill, Clough, Cobb, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Kelley, Kenneally, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Wardell, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Burnett, Cargill, Clough, Cobb, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Kelley, Kenneally, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, Works, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hoey, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Marvin, McDonald of Tuolumne, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, Works, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 918—An Act to pay the claim of the Gonzales Tribune, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Boone, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hoey, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, Melick, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 968—An Act making an appropriation to pay the claim of the Williams Farmer, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Kelley, Kelsey, Kenneally, Knowland, Lardner, Mack,

Marvin, McDonald of Tuolumne, McKeen, Melick, Meserve, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—45.

NOES—None

Title read and approved.

Assembly Bill No. 848—An Act making an appropriation to pay the claim of Events, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Beecher, Belshaw, Blood, Boone, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Kelley, Kelsey, Knowland, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 933—An Act to appropriate the sum of \$300 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Griffin, Hanley, Hoey, Kelley, Kelsey, Kenneally, Knowland, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 974—An Act to appropriate \$114 to pay the claim of the Fullerton Tribune, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Hoey, Kelley, Kelsey, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Huber, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—47.

NOES—None

Title read and approved.

Assembly Bill No. 969—An Act to appropriate \$250 to pay the claim of M. C. Dufficy, for publishing constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Devoto, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Hoey, Kelley, Kelsey, Kenneally, Knowland, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Wardell, White, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for advertising the constitutional amendments, and to make an appropriation therefor.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with Mr. Hoey in the chair, for the purpose of considering Assembly Bill No. 463.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 463 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for advertising the constitutional amendments, and to make an appropriation therefor—and do now report the same with amendments, and recommend that the same do pass as amended.

HOEY, Chairman.

Report adopted.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for advertising the constitutional amendments, and to make an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out all after the words "An Act" and inserting in lieu thereof the following:

"To appropriate the sum of \$180 to pay the claim of L. F. Eastin, for money due and owing the said L. F. Eastin from the State of California.

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred and eighty dollars to pay the claim of L. F. Eastin, the said sum of one hundred and eighty dollars being now due and owing from the State of California to the said L. F. Eastin.

"SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said L. F. Eastin for the said sum of one hundred and eighty dollars, and the State Treasurer is hereby directed to pay the same.

"SEC. 3. This Act shall take effect January first, nineteen hundred."

Amendment adopted.

Assembly Bill No. 463 ordered to print, engrossment, and third reading.

Mr. Dibble moved that Assembly Bills Nos. 828, 907, and 463 be passed to unfinished business file.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled: Assembly Bill No. 376 and Assembly Constitutional Amendment No. 14.

Assembly Bill No. 376—An Act to provide for a free employment department, to be maintained in connection with the Bureau of Labor Statistics.

Assembly Constitutional Amendment No. 14—Amending the Constitution by adding a new section to Article IX, relative to exempting certain property from taxation.

And were presented to the Governor March 10, 1899, at eight o'clock and forty-five minutes P. M.

RICKARD, Chairman.

MOTION.

Mr. Kelley moved that Assembly Bill No. 38 be taken up out of order at this time and considered.

So ordered.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 228 of said Act, relating to and providing for county charges.

Read second time.

Mr. Kelley moved to amend the title so as to read as follows:

An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 160 of said Act, relating to and providing for the government of counties of the third class

Amendment adopted.

Also: Amend by striking out all after the enacting clause and inserting the following: "SECTION 1. Section 160 of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897, is hereby amended so as to read as follows:

"Section 160. In counties of the third class the county officers shall receive as full compensation for all the services required of them by law, or by virtue of their offices, the following salaries:

"1. The County Clerk, four thousand dollars per annum; *provided* that in counties of this class there shall be and there hereby is allowed to the County Clerk one chief deputy, whose salary is hereby fixed at the sum of sixteen hundred dollars per annum; four court-room deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each: one deputy, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; one deputy, whose salary is hereby fixed at the sum of nine hundred dollars per annum, and one copyist, whose salary is hereby fixed at the sum of six hundred dollars per annum; the chief deputy, eight deputies, and one copyist herein provided for shall be appointed by the Clerk of said county, and their salaries shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as is the salary of County Clerk.

"2. The Sheriff, four thousand dollars per annum; *provided*, that there shall be and hereby is allowed to the Sheriff one under-sheriff, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; one chief jailer, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one assistant jailer, whose salary is hereby fixed at the sum of twelve hundred dollars per annum, five deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; two clerks, whose salaries is hereby fixed at the sum of twelve hundred dollars per annum each; the under-sheriff, chief jailer, assistant jailer, five deputies, and two clerks herein provided for shall be appointed by the Sheriff of said county, and their salaries shall be paid by said county, in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Sheriff; *provided*, that in counties of this class the Sheriff shall be allowed no compensation or profit for feeding prisoners in the county jail, but that he shall file, monthly, with the County Auditor, a verified statement, showing the names of persons and amounts paid to each for expense of feeding such prisoners, and the Sheriff shall thereupon pay over to the County Treasurer, for the use of the county, any difference between the amount allowed for such purpose by the Supervisors and the amount actually expended by him therefor; *provided further*, that the Sheriff shall be allowed his actual expenses for

transportation in service of criminal and civil process, as to each he shall file a verified statement showing the names of persons and amounts paid to each for such actual expenses of transportation.

"3. The Recorder, four thousand dollars per annum; *provided*, that there shall be and there is allowed to the Recorder one chief deputy, whose salary is hereby fixed at fifteen hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and one mortgage deputy, whose salary is hereby fixed at twelve hundred dollars per annum; *provided further*, that the chief deputy, two deputies, and one mortgage deputy herein provided for shall be appointed by the Recorder of said county, and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the Recorder; *provided further*, that in counties of this class the Recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents in his office not exceeding six and one-half cents per folio for each paper or document so recorded; and *provided further*, that said Recorder shall file monthly, with the County Auditor, a verified statement, showing in detail the persons and the amounts paid to each for such recording.

"4. The Auditor, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is allowed to the Auditor one deputy, who shall be appointed by the Auditor of said county, and whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one clerk, whose salary is hereby fixed at the sum of nine hundred dollars per annum, and such additional assistance as the Auditor may require, and whose compensation shall not in the aggregate exceed the sum of five hundred dollars per annum; and *provided*, that the Auditor shall file with the County Clerk a verified statement, showing in detail the amounts paid, and the person to whom said compensation is paid, for such extra assistance as aforesaid. The salaries herein provided for shall be paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Auditor.

"5. The Treasurer, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is allowed to the Treasurer one deputy, who shall be appointed by the Treasurer of said county, and whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum, which sums shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Treasurer.

"6. The Tax Collector, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Tax Collector one chief deputy, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum, and one deputy, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one clerk, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; *provided further*, that there shall be and there hereby is allowed to the Tax Collector one extra deputy for the month of April of each year, whose salary shall be one hundred dollars for such month, and three extra deputies for the month of July of each year, whose salaries shall be one hundred dollars each for such month, and five extra deputies for the month of August of each year, whose salaries shall be one hundred dollars each for such month, and six extra deputies for the month of September of each year, whose salaries shall be one hundred dollars each for such month, and seven extra deputies for the month of October of each year, whose salaries shall be one hundred dollars each for such month, and nine extra deputies for the month of November of each year, whose salaries shall be one hundred dollars each for such month; *provided further*, that the chief deputy, all other deputies, and the clerk herein provided for, shall be appointed by the Tax Collector of said county, and the salaries of said chief deputy, all other deputies, and the clerk herein provided for shall be paid by said county, during the time which they shall hold office, as herein provided, at the same time and in the same manner and out of the same fund as the salary of the Tax Collector.

"6½. The License Collector shall receive fifteen per cent of all licenses collected by him.

"7. The Assessor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Assessor one chief clerk, whose salary is hereby fixed at twenty-four hundred dollars per annum; one deputy, whose salary is hereby fixed at twelve hundred dollars per annum; two clerks, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; and *provided further*, that there shall be and there hereby is allowed to the Assessor two poll-tax or other deputies, whose salaries are hereby fixed at one hundred dollars per month each during the time which they shall hold office, as hereinafter provided; five deputies, whose salaries are hereby fixed at one hundred dollars per month each during the time which they shall hold office, as hereinafter provided; four copyists, whose salaries are hereby fixed at one hundred dollars per month each during the time which they shall hold office, as hereinafter provided; seven outside field deputies, whose salaries are hereby fixed at one hundred and twenty-five dollars per month each during the time which they shall hold office, as hereinafter provided; one cashier, whose salary is hereby fixed at one hundred dollars per month during the time which he shall hold office, as hereinafter provided; one personal property tax collector, who shall hold office for the period of four months, as hereinafter provided, and at a compensation of one hundred dollars per month; and eight extra deputies, whose salaries are hereby fixed at one hundred

dollars per month each during the time which they shall hold office, as hereinafter provided; *provided*, that the chief clerk, personal property tax collector, all other deputies, all copyists, the clerk, and cashier herein provided for, shall be appointed by the Assessor of said county; *provided further*, that the one chief clerk, one deputy, two poll-tax or other deputies, five deputies, four copyists, seven outside field deputies, personal property tax collector, cashier, eight extra deputies, and two other clerks herein provided for shall be paid during the time which they shall hold office as herein provided, at the same time and in the same manner and out of the same fund as the salary of the Assessor; *provided further*, that the two poll-tax deputies, five deputies, four copyists, seven outside field deputies, one personal property tax collector, and eight extra deputies herein provided for shall hold office from twelve o'clock meridian of the first Monday in March of each year up to twelve o'clock meridian of the first Monday of July of each year; and the cashier herein provided for shall hold office from twelve o'clock meridian of the first Monday in March of each year up to twelve o'clock meridian of the first Monday of September of each year; *provided further*, that in counties of this class, Assessors shall be allowed the sum of three thousand dollars per annum, to be expended by them in addition to the amounts above set forth, as follows: He shall, during such parts of each year as he may determine, file with the County Treasurer a list of his appointees under this proviso, the names thereof and the salaries to be paid to each, and it shall be the duty of the proper county officers to issue warrants to and in the names of the persons so appointed by the Assessors; *provided*, that the total amount to be allowed under this proviso in any one year shall in no event exceed the sum of three thousand dollars, and that the warrants for the persons so appointed by the Assessors shall be delivered and payable to the persons named by them as such. *It is hereby further provided*, that in counties of this class the Assessor shall receive no commission for his collection of taxes on personal property, nor shall such Assessor receive any compensation or commission for the collection of poll-taxes or road poll-taxes, nor shall the said Assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty, as provided by section nineteen hundred and one of the Political Code; *provided, however*, that should the Assessor be directed by any law, or by any order of the Board of Supervisors, or by any municipality within said counties of the third class, to prepare maps, plats, block-books for the use of the county, or assessment rolls for the use of any municipality, then said Assessor shall only receive the actual cost by him incurred in making or preparing such maps, plats, block-books, or assessment rolls; *and provided further*, that he shall file with the County Auditor a sworn statement, showing the persons to whom, and the amounts paid to each, for such maps, plats, block-books, or any such assessment rolls, and that he shall account forthwith and pay over to the county any difference between such cost and the amount so allowed by him for such work.

"8. The District Attorney, four thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the District Attorney one chief deputy district attorney, whose salary is hereby fixed at two thousand dollars per annum; one assistant district attorney, whose salary is hereby fixed at fifteen hundred dollars per annum; one deputy district attorney, whose salary is hereby fixed at twelve hundred dollars per annum; one clerk, whose salary is hereby fixed at the sum of twelve hundred dollars per annum, and one clerk, whose salary is hereby fixed at the sum of six hundred dollars per annum; *provided further*, that the chief deputy district attorney, assistant district attorney, and deputy district attorney, and clerk shall be appointed by the District Attorney, and their salaries shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the District Attorney.

"9. The Coroner, such fees as are now or may hereafter be allowed by law.

"10. The Public Administrator, such fees as are now or may hereafter be allowed by law.

"11. The Superintendent of Schools, three thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the Superintendent of Schools one deputy, whose salary is hereby fixed at nine hundred dollars per annum; *provided*, that the said deputy shall be appointed by the Superintendent of Schools, and such salary shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Superintendent of Schools.

"12. The Surveyor shall receive ten dollars per day for all work performed for the county, and in addition thereto all necessary expenses and transportation for work performed in the field; *provided*, that whenever the Surveyor is directed or charged to make, plat, trace, or otherwise prepare maps, plats, or block-books for the use of the county, city and county, or any municipality within such county, then such County Surveyor shall only be allowed, in addition to the actual cost and expense of making, platting, tracing, or otherwise preparing such maps, plats, or block-books, a compensation to be determined by the Board of Supervisors, not exceeding the sum of ten dollars per day while he is actually so employed; *and provided further*, that such County Surveyor shall file with the County Auditor a sworn statement, showing in detail the amounts so paid, and the persons to whom such amounts have been so paid for such expense as aforesaid.

"13. In counties of the third class Justices of the Peace shall receive such fees as are now or may hereafter be allowed by law; *provided*, that in townships having a population of less than twenty thousand, and not less than ten thousand, Justices of the Peace

shall receive a monthly salary of one hundred and fifteen dollars, and in townships having a population of less than ten thousand, and not less than two thousand, Justices of the Peace shall receive a monthly salary of ninety dollars, and in townships having a population of less than two thousand, Justices of the Peace shall receive a monthly salary of fifty dollars. All of said salaries shall be in full compensation for all services rendered in criminal matters, and shall be paid at the same time and in the same manner as salaries of county officers of counties of this class. For their services in civil cases Justices of the Peace in counties of this class shall receive such fees as now are or hereafter may be allowed by law. The United States census shall be the basis for determining the population of said townships, unless a special census has been or is taken by the Board of Supervisors, hereby authorized to take such census, in which case the latest census shall be the basis for determining the population of said townships. The compensation herein mentioned in regard to Justices of the Peace shall take effect and be in force from and after the passage of this Act, and affect incumbents.

"14 In counties of the third class Constables shall receive such fees as are now or may be hereafter allowed by law; *provided*, that in townships having a population of less than twenty thousand, and not less than ten thousand, Constables shall receive a monthly salary of one hundred dollars; and in townships having a population of less than ten thousand, and not less than two thousand, Constables shall receive a monthly salary of ninety dollars; and in townships having a population of less than two thousand, Constables shall receive a monthly salary of fifty dollars. All of said salaries shall be in full compensation for all services rendered in criminal matters, and shall be paid at the same time and in the same manner as the salaries of county officers of counties of this class. Constables shall be repaid the amount of their actual traveling expenses in criminal cases, for which vouchers must be filed. For their services in civil cases Constables shall receive such fees as are now or hereafter may be allowed by law. The United States census shall be the basis for determining the population of said townships, unless a special census has been or is taken by the Board of Supervisors, hereby authorized to take such census, in which case the latest census shall be the basis for determining the population of said townships. The compensation herein mentioned in regard to Constables shall take effect and be in full force from and after the passage of this Act, and affect incumbents.

"15. Each Supervisor, one hundred and twenty-five dollars per month and mileage at ten cents per mile for each mile actually traveled in going to and from their residence to the county seat, or in the performance of the duties required of them by law or by virtue of their office; *provided*, that in attending sessions of the board only four miles shall be allowed for each month, and that the total mileage allowed shall not exceed one hundred dollars in any one month.

"16 All deputies, clerks, and assistants hereinbefore provided for shall be appointed by their respective principals, and the salaries of all deputies, clerks, and assistants shall be paid in the same manner and out of the same fund as the salaries of their respective principals.

"17. The official reporters of the Superior Court, in counties of this class, shall receive as full compensation for taking notes in civil and criminal cases tried in said court, a monthly salary of one hundred and fifty dollars, payable out of the county treasury, in the same manner and at the same time as salaries of county officers are paid. For transcription of said notes, when required, he shall receive (10) ten cents per folio. The compensation for transcription in criminal cases shall be allowed on the order of the court, and paid out of the county treasury. The fees for transcription in civil cases or proceedings shall be paid by the party ordering the same, or, when ordered by the Judge, by either party or by both parties, as the court may direct. When the services of the reporter are required in any civil matter, the clerk shall collect for each day of trial five dollars, one half from each party, and shall pay the same into the county treasury."

Amendment adopted.

Assembly Bill No. 38 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At eleven o'clock and thirty minutes P. M., on motion of Mr. Crowley, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, March 11, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 11, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Fairweather, Feliz, Glenn, Grillin, Hanley, Henry, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—66.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of yesterday's Journal, the further reading was dispensed with, on motion of Mr. Knowland.

The Journal of Thursday, March 9, 1899, was read and approved.

LEAVE OF ABSENCE.

Messrs. Arnerich, Boynton, Bliss, Dunlap, Cargill, Stewart, Muentner, Miller of San Francisco, Huber, and Works were granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 427—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, and an Act amendatory thereof, approved April 1, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAW, Chairman.

Senate Bill No. 427 ordered on second-reading file.

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures herewith submits its final report, as follows:

I.

During the session there have been referred to this committee ten bills, numbered, respectively, Assembly Bills Nos. 186, 206, 208, 232, 275, 290, 350, 466, 468, and 548; and also Senate Bill No. 320; upon all of which bills the committee has heretofore made the appropriate investigations and reports to the House.

Of these bills the more important were as follows:

Assembly Bill No. 166, by Mr. Wade—Providing for the manner of publishing proposed amendments to the Constitution—was reported favorably by this committee, and

has become a law. It is understood that the passage of this law will save the State large sums of money at each biennial election.

Also: Assembly Bill No. 206, by Mr. Muentner—An Act having for its object a change in the law with regard to sworn statements of assets held and owned by banks on the first Monday of March of each year. This bill was reported favorably by this committee, has passed the Assembly, and has been defeated in the Senate. If it had become a law, this bill would have secured a large increase in the assessments of cash assets of banks throughout the State.

Also: Assembly Bill No. 208, introduced by Mr. Conrey, chairman of this committee—A bill having for its object the establishment of a Civil Service Commission, for the purpose of regulating and improving the civil service of the State. Your committee was unable to agree with respect to the merits of this proposed legislation, and the bill was afterwards refused passage by the Assembly.

Also: Assembly Bill No. 290, by Mr. E. D. Sullivan, and Assembly Bill No. 350, by Mr. Dibble, having for their object the creation of a State Board of Charities and Corrections. Your committee introduced as a substitute for these bills Assembly Bill No. 690 which has been passed by the Assembly and is now pending in the Senate. This bill is formulated in harmony with similar laws existing in some of the Eastern States; and if it shall become a law will, without large expense to the State, provide valuable checks upon the expenditure of public moneys in connection with public institutions of a charitable nature, which are supported or aided by the State.

Also: Assembly Bill No. 548—An Act to regulate the practice of architecture. This bill was reported unfavorably by this committee, for the reason that, in the opinion of the majority of the committee, the bill was not carefully prepared. A bill having the same object has passed in the Senate, and is now pending in the Assembly.

Also: Assembly Bill No. 466—An Act to increase the membership of the auditing board to the Commissioner of Public Works. This bill was reported by your committee with the recommendation that it do not pass.

II.

On January 14, 1899, a resolution introduced by Mr. Johnson was adopted, authorizing and directing this committee to inquire into the management of all the State commissions, and report to the House, by bill or otherwise, what, if any, changes are needed therein; what, if any, commissions could be abolished, and what, if any, saving can be effected in the management of said commissions.

Pursuant to said resolution, your committee, on January 18, 1899, requested the clerk of the committee, Mr. J. L. Maude, to furnish to the committee a list of the different State commissions, and a statement of the expenditures for salaries and incidental expenses of each commission during the past two years. Under said instructions a report was made, based upon facts obtained from the State Controller. The data therein contained was set forth in the annual report of the State Controller, and in the reports of the various commissions, and need not be set forth at length in this committee report. The principal commissions or bureaus which your committee understood to be within the scope of said resolution are as follows:

1. State Board of Equalization—This board is provided for and its duties defined by the Constitution of the State. The same is true of the Board of Railroad Commissioners.

2. State Mining Bureau—The total expense of this bureau for the forty-ninth fiscal year was \$25,803 01. A detailed statement with regard thereto may be found on page 176 of the report made on February 2, 1899, by the committee appointed by the Senate to make an examination of State institutions.

3. Insurance Commissioner—This office is supported substantially by fees received from the various companies doing an insurance business in the State.

4. Bureau of Labor Statistics—On January 20, 1899, Assembly Bill No. 376 was introduced by Mr. Rickard, to extend and enlarge in certain respects the duties performed by the Bureau of Labor Statistics. This bill having been referred to the Committee on Labor and Capital, and not to your Committee on Commissions and Public Expenditures, was reported favorably, and has been passed by the Assembly. Your committee therefore assumes without investigation that the Assembly is satisfied that the Bureau of Labor Statistics is a useful institution.

5. Fish Commissioners and Game Warden—On February 11, 1899, Mr. Johnson introduced Assembly Bill No. 741—An Act to create the office of State Game Warden. This bill has been passed by the Assembly, and was recommended by the Committee on Fish and Game. This Committee on Commissions and Public Expenditures therefore assumes that State guardianship of the fish and game interests by means of commissioners and wardens has been approved by the Assembly after all necessary investigation.

6. Board of Horticulture—This commission is largely supported in its work by volunteer contributions made to it by the horticulturists of the State, which we are told in the aggregate exceed the appropriations made by the State.

7. Yosemite Valley and Mariposa Big Tree Grove Commission.

8. Code Commissioners—It is understood that within the next year this commission will have completed its labors, and on completion of the preparation of its reports to the Legislature on the revision of the codes and other statutes of the State, the said commission will go out of existence.

9. Commissioner of Public Works—On January 20, 1899, Mr. Raub introduced Assembly Bill No. 343—"An Act to create a Commissioner of Public Works, defining his duties and powers, and fixing his compensation." This bill was referred to the Committee on Public Works, State Capitol, and Parks, and not to your Committee on Commissions and Public Expenditures. Said bill was reported favorably and has been passed by the Assembly, and your committee therefore infers that any investigation required on this subject was satisfactorily made by the committee to which said bill was referred.

10. Department of Highways—Under the provisions of an Act creating the Department of Highways, the terms of the three commissioners expire two years from the date of their appointment, which time of expiration will be in May, 1899; thereafter one commissioner is to be appointed for a term of four years, to perform all the duties and work now performed by the three commissioners. Numerous bills have been introduced into the Assembly, and received from the Senate, having to do with the State Highways, and with the duties of the Department of Highways. All of these bills have been referred to the Committee on Roads and Highways, and not to your Committee on Commissions and Public Expenditures, and your committee assumes that all necessary investigations into the Department of Highways have been made by the committee having said bills in charge.

11. Bank Commissioners—The expenses of the Bank Commissioners are paid from the Bank Commissioners' Fund, which is a tax on State banks and does not come directly from the State Treasury. Suggestions have been made to your committee indicating that important changes should be made in the law relating to Bank Commissions. The construction of a satisfactory revision of the law on this subject involves the solution of problems which your committee is not fully competent to undertake at this time, in the midst of the haste and confusion of general legislative work.

12. Building and Loan Commissioners—The expenses of this commission are paid from the Building and Loan Association Inspection Fund.

13. Debris Commissioner—On January 20, 1899, Mr. Devoto introduced Assembly Bill No. 355—"An Act amendatory to the Act providing for and defining the duties of the Debris Commissioner", which bill was referred to the Committee on Mines and Mining Interests, and not to your Committee on Commissions and Public Expenditures. Said bill was reported favorably, and this committee assumes that all necessary investigations into the matter of the necessity for continuing the office of Debris Commissioner were made by the committee to which said bill was referred.

14. State Dairy Bureau—On January 11, 1899, Mr. Atherton introduced Assembly Bill No. 124—"An Act providing for the inspection of dairies with reference to their sanitary condition, and appropriating money therefor." Said bill was referred to the Committee on Dairies and Dairy Products, and not to this committee. The bill was amended and reported favorably by the committee to which it was referred, and the corresponding Senate Bill No. 59, having been substituted for Assembly Bill No. 124, was duly passed by the Assembly. Your committee understands that in considering said bill the Committee on Dairies and Dairy Products made the necessary investigations into the matter of the necessity for a State Dairy Bureau and the management of and expense thereof.

15. San Francisco Harbor Commission—The report of the Senate committee on examination of State institutions, submitted to the Senate on February 2, 1899, at pages 179 and 183, contains a summary of facts ascertained by said Senate committee; the testimony taken by said committee with respect to said Harbor Commission, as well as with respect to other State commissions and institutions, has also been submitted to the Senate with said report, and we presume will be published for future reference, in order that the State may obtain the full benefit of the examination thus made at large expense. The matters that might be inquired into in regard to the State Board of Harbor Commissioners are of such a nature and of such magnitude as to be far beyond the reach of this committee during the session of the Legislature. This is especially true by reason of the fact that the State Harbor Commission at San Francisco makes absolutely no accounting to the State Board of Examiners or the State Controller of its expenditures or doings. It is expected that the law will be changed by amendments carefully prepared, so that the accounts of said Harbor Commissioners will in the future come under the supervision of the State Controller's office and State Board of Examiners. (See Assembly Bill No. 554, introduced by Mr. Valentine, which passed this House on February 27, 1899.)

16. State Lunacy Commission—On January 28, 1899, Mr. Raub introduced Assembly Bill No. 506, making important changes in the Act establishing the State Lunacy Commission; which bill was referred to the Committee on State Hospitals and Asylums, and not to this committee. Said bill having been reported favorably, and amended, has been passed by the Assembly. Your committee has assumed that the matter of the necessity for and mode of operation of the work of the State Lunacy Commission was fully examined into by the committee to which said bill was referred, and that the said bill, which has been passed by the Assembly, makes all necessary amendments in the law with reference to said commission.

III.

There are also a number of small expenditures made by special committees and commissions, of which the one consisting of members of the Legislature to examine into uniformity of legislation is an example. The Senate committee for investigation of State institutions is another example thereof.

Your committee finds with regard to these and all of the commissions above mentioned, that they have been established by law in response to necessities created by conditions existing in State institutions, or else in response to popular demands made on behalf of important industrial interests existing within the State. It is easy for unthinking persons to assert that the State is burdened by a lot of extravagant and wholly useless commissions. It is not so easy to find a place where such institutions can be rooted out and destroyed without detriment to the proper management of necessary State institutions, and without injury to important public interests.

The work of reform along these lines necessarily consists not in destruction, but in reconstruction. For example, there might be created a Board of Control of Public Works, as has been done in the State of New York, and elsewhere. This board might have its divisions; such as Department of Highways, Drainage and Reclamation, Débris Commission, etc.

Also, the offices of Bank Commissioners, Building and Loan Commissioners, and Insurance Commissioner, might be united under one general system of control.

Also, the State Board of Agriculture, the State Board of Horticulture, the State Dairy Bureau, and the State Veterinary Medical Board, are institutions which touch interests that are closely allied, and might very properly be placed under one common control, as the Department of Agriculture.

Each of these tasks of constructive legislation involves so much thought and labor that it cannot be satisfactorily performed by a legislative committee existing only during the time that the Legislature is in session, and while its members are in the midst of the distractions and numerous labors imposed upon them as representatives of the people.

Your committee believes that the present chief executive officer of the State, in harmony with the policy outlined in his inaugural address to the Legislature, will see to it that these necessary State institutions will be managed with all the economy consistent with the needs of the State, and that he will encourage the work of constructing reformatory legislation.

Your committee calls attention to the fact that in the Act approved March 28, 1895, establishing a commission for the "Revision and Reform of the Law," in Section 6, Subdivision 8 of the said Act, it is provided that said Commission shall report to the Legislature from time to time "such suggestions as they may deem proper for the promotion of public welfare and the best interests of the State."

We are informed by the Code Commissioners that they have given a great deal of attention to these topics, and that their final report will contain recommendations proposing legislation to reorganize the State Commissions upon a plan constructed along the lines hereinabove indicated.

Your committee, therefore, recommends that the Code Commission be requested to continue and complete said work, and that its report be accompanied by bills drafted to carry into effect the recommendations made, so that the same may be ready for the action of the Legislature at the next session thereof.

Respectfully submitted.

CONREY, Chairman.

Mr. Conrey moved that the report be printed in the Journal.
So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your committee of free conference concerning Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen—report that we have met a like committee of the Senate, consisting of Senators Leavitt, Luchsinger, and Sims, and we report that the free conference committee agreed upon and recommend that Senate Amendment No. 2 be changed to read as follows, viz: "of a population exceeding twenty-five thousand," and that said amendment, as amended, be adopted by the Senate and Assembly.

JOHNSON, Chairman.

Report and amendment adopted.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Johnson, Kenneally, Lardner, Lundquist, Mack

Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Pierce, Raub, Robinson, Valentine, Wright, and Mr. Speaker—43.
NOES—Messrs. La Barea and Wade—2.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That Mrs. A. B. Campbell be and hereby is appointed Jaintress of the ladies' cloakroom, at a per diem of \$3, payable out of the Contingent Fund of the Assembly.

If we had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Report adopted.

MOTION.

Mr. Atherton moved that Senate Bill No. 732 be made special order for Monday.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 536—An Act to add a new section to the Political Code of the State of California, to be numbered 1118, relating to registration.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers.

Also: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Also: Senate Concurrent Resolution No. 12—Relative to absence of Hon. H. L. Pace from the State for six months.

Also: Passed Senate Bill No. 318—An Act appropriating the sum of \$2,345 75 to pay the claim of Messrs. Goodall, Perkins & Co. against the State of California, for loss of merchandise by the collapse of a portion of Pier 9 in the City and County of San Francisco, California.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers.

Read, and referred to Committee on Judiciary.

Senate Constitutional Amendment No. 15—Relative to an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Read, and referred to Committee on Judiciary.

Senate Bill No. 318—An Act appropriating the sum of \$2,345 75 to pay the claim of Messrs. Goodall, Perkins & Co. against the State of California for loss of merchandise by the collapse of a portion of Pier 9 in the City and County of San Francisco, California.

Read first time, and referred to Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION No. 12.

Relative to the consent of the Legislature to absence from the State of State Senator H. L. Pace of Tulare for a period not to exceed six months.

Resolved by this Senate, the Assembly concurring, That the Legislature of the State of California has consented and does hereby consent, that State Senator H. L. Pace may depart from the State of California at any time during the remainder of his official term as State Senator and remain absent for a period not to exceed six months from and immediately succeeding the time of his departure.

Resolution read and adopted.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 732 (case of urgency)—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Also: Senate Bill No. 330—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 330—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as cases of urgency) Substitute for Senate Bill No. 657—An Act to appropriate the sum of \$300 to pay the claim of Visalia Daily Times, for money due and owing the said Visalia Daily Times from the State of California.

Also: Senate Bill No. 666—An Act to appropriate the sum of \$100 to pay the claim of the Labor Advocate, for money due and owing the said Labor Advocate from the State of California.

Also: Senate Bill No. 674—An Act to appropriate the sum of \$246 65 to pay the claim of the Hollister Bee, for money due and owing the said Hollister Bee from the State of California.

Also: Senate Bill No. 679—An Act to appropriate the sum of \$600 to pay the claim of L'Italia, for money due and owing the said L'Italia from the State of California.

Also: Senate Bill No. 681—An Act to appropriate the sum of \$150 to pay the claim of Fresno Evening Democrat, for money due and owing the said Fresno Evening Democrat from the State of California.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 657—An Act appropriating the sum of \$630 to pay the claim of Ben M. Maddox, for money due and owing the said Ben M. Maddox from the State of California.

Read first time, and ordered on Senate special file.

Senate Bill No. 666—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 674—An Act making an appropriation to pay the claim of the Hollister Bee, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 679—An Act to appropriate the sum of \$2,100 to pay the claim of James A. Devoto, assignee of E. Patrizi and G. Almagia, owners and publishers of L'Italia, for money due and owing to the said James A. Devoto, assignee as aforesaid, from the State of California, for publishing constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 681—An Act making an appropriation to pay the claim of the Fresno Evening Democrat, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as case of urgency, Substitute for Senate Bill No. 684—An Act to appropriate the sum of \$150 to pay the claim of the Reporter Publishing Company, Vacaville, for money due and owing the said Reporter Publishing Company from the State of California.

Also: Senate Bill No. 685—An Act to appropriate the sum of \$250 to pay the claim of George Roe, proprietor of the Vallejo Daily Times, for money due and owing the said George Roe, Vallejo Daily Times, from the State of California.

Also: Senate Bill No. 692—An Act to appropriate the sum of \$200 to pay the claim of the Redwood City Democrat, for money due and owing the said Redwood City Democrat from the State of California.

Also: Senate Bill No. 694—An Act to appropriate the sum of \$150 to pay the claim of the River News, for money due and owing the said River News from the State of California.

Also: Senate Bill No. 638—An Act to appropriate the sum of \$175 to pay the claim of the Healdsburg Tribune, for money due and owing the said Healdsburg Tribune from the State of California.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 684—An Act making an appropriation to pay the claim of Raleigh Barcar, publisher of the Vacaville Reporter, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 685—An Act making an appropriation to pay the claim of George Roe, publisher of the Vallejo Times, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 692—An Act making an appropriation to pay the claim of the Redwood City Democrat, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 694—An Act making an appropriation to pay the claim of W. L. Dunn, publisher of the River News, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 638—An Act providing for the allowance and payment of the claim of F. W. Cook against the State of California, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as case of urgency, Substitute for Senate Bill No. 640—An Act to appropriate

the sum of \$175 to pay the claim of the Cloverdale Reveille, for money due and owing the said Cloverdale Reveille from the State of California

Also: Senate Bill No. 611—An Act to appropriate the sum of \$1,200 to pay the claim of the Oakland Enquirer Publishing Company, for money due and owing the said Oakland Enquirer Publishing Company from the State of California.

Also: Senate Bill No. 643—An Act to appropriate the sum of \$175 to pay the claim of the Placer Herald, for money due and owing the said Placer Herald from the State of California.

Also: Senate Bill No. 644—An Act to appropriate the sum of \$175 to pay the claim of the Mountain Democrat, Placerville, G. & J. Carpenter, for money due and owing the said Mountain Democrat, Placerville, G. & J. Carpenter, from the State of California.

Also: Senate Bill No. 645—An Act to appropriate the sum of \$200 to pay the claim of the Jewish Times-Observer, for money due and owing the said Jewish Times-Observer from the State of California

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 640—An Act providing for the allowance and payment of the claim of R. E. Baer against the State of California, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 641—An Act to pay the claim of the Oakland Enquirer Publishing Company, and making an appropriation therefor.

Read first time, and ordered on Senate special file.

Senate Bill No. 643—An Act making an appropriation to pay the claim of the Placer Herald, published in Auburn, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 644—An Act making an appropriation to pay the claim of the Mountain Democrat, of Placerville, for advertising the constitutional amendments for the year 1898, authorized by the Governor of the State of California.

Read first time, and ordered on Senate special file.

Senate Bill No. 645—An Act making an appropriation to pay the claim of M. S. Levy, proprietor and publisher of the Jewish Times and Observer, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as case of urgency, the following substitutes: For Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of San Diego Vidette Company, for money due and owing the said San Diego Vidette Company from the State of California.

Also: Senate Bill No. 651—An Act to appropriate the sum of \$400 to pay the claim of the Encinal Publishing Company, for money due and owing the said Encinal Publishing Company from the State of California.

Also: Senate Bill No. 653—An Act to appropriate the sum of \$200 to pay the claim of the Santa Clara News, for money due and owing the said Santa Clara News from the State of California

Also: Senate Bill No. 698—An Act to appropriate the sum of \$300 to pay the claim of the Daily Independent, for money due and owing the said Daily Independent from the State of California.

Also: Senate Bill No. 632—An Act to appropriate the sum of \$400 to pay the claim of Daily Riverside Enterprise, for money due and owing the said Daily Riverside Enterprise from the State of California.

Also: Senate Bill No. 707—An Act to appropriate the sum of \$600 to pay the claim of Le Franco-Californien, for money due and owing the said Le Franco-Californien from the State of California

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 650—An Act making an appropriation to pay the claim of the San Diego Vidette, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 651—An Act making an appropriation to pay the claim of J. W. Travers, assignee of the Alameda Daily Evening Encinal, for advertising the constitutional amendments for the year 1896.

Read first time, and ordered on Senate special file.

Senate Bill No. 653—An Act to pay the claim of the News Publishing Company for official advertising.

Read first time, and ordered on Senate special file.

Senate Bill No. 698—An Act making an appropriation to pay the claim of the Daily Independent, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 682—An Act making an appropriation to pay the claim of the Riverside Daily Enterprise, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 707—An Act making an appropriation to pay the claim of Le Franco-Californien, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as cases of urgency, Substitute for Senate Bill No. 718—An Act to appropriate the sum of \$250 to pay the claim of Sun Publishing Company, Colusa, for money due and owing the said Sun Publishing Company, Colusa, from the State of California.

Also: Senate Bill No. 719—An Act to appropriate the sum of \$250 to pay the claim of Santa Ana Standard, for money due and owing the said Santa Ana Standard from the State of California.

Also: Senate Bill No. 591—An Act to appropriate the sum of \$200 to pay the claim of Marin County Tocsin, for money due and owing the said Marin County Tocsin from the State of California.

Also: Senate Bill No. 562—An Act to appropriate the sum of \$600 to pay the claim of the Nevada Daily Transcript for money due and owing the said Nevada Daily Transcript from the State of California.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 718—An Act making an appropriation to pay the claim of the Colusa Sun Publishing Company, publishers of the Colusa Sun, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 719—An Act to appropriate the sum of \$357 to pay the claim of the Santa Ana Standard, for money due and owing the said Santa Ana Standard from the State of California, for the printing of constitutional amendments in the Santa Ana Standard.

Read first time, and ordered on Senate special file.

Senate Bill No. 591—An Act making an appropriation to pay the claim of the Marin County Tocsin, for advertising the constitutional amendments for the year 1898.

Read first time, and ordered on Senate special file.

Senate Bill No. 562—An Act making an appropriation to pay the claim of the Daily Transcript, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

MOTIONS.

Mr. Valentine moved that Senate Bill No. 330 be placed on the Senate special file, it being identical with Assembly Bill No. 394, and that Assembly Bill No. 394 be withdrawn.

So ordered.

Mr. Radcliff moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to create a Department of Public Works, to define the powers and duties thereof, and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of such department, and to make an appropriation for the payment of salaries and other expenditures thereof."

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

Mr. Johnson moved to take from the table Assembly Concurrent Resolution No. 19.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION No. 19.

Relative to adjournment.

Resolved by the Assembly, the Senate concurring, That the Legislature adjourn *sine die* at twelve o'clock, midnight, on Saturday, March eleventh, eighteen hundred and ninety-nine.

Resolution read.

Mr. Dibble moved to amend and make the date of adjournment Saturday, March 18.

Motion carried.

Assembly Concurrent Resolution No. 19, as amended, adopted.

Mr. Atherton offered the following:

WHEREAS, I received a telegram yesterday of the death of William Crane, Assistant Gatekeeper of this Assembly;

Resolved, That the sympathy of this House be extended to the wife and to the family of the deceased, and that his brother, H. C. Crane, be and is hereby appointed Assistant Gatekeeper, to take the place of deceased, and that the State Controller is hereby notified not to draw any warrant in favor of deceased from this date.

Resolution adopted.

LEAVE OF ABSENCE.

Mr. Le Baron moved that he be granted indefinite leave of absence from and after March 15, 1899.

So ordered.

RESOLUTION.

Mr. Belshaw offered the following:

Resolved, That the Committee on Introduction of Bills be and they are hereby requested to report to-day the bills before them which they consider matter of urgency.

Resolution adopted.

Mr. White moved that the rules be suspended and that Assembly Joint Resolution No. 25 be now considered.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 25.

Relative to the payment of volunteers enlisted in the Spanish-American War of 1898.

WHEREAS, From time to time a number of volunteers who enlisted in the Spanish-American war of 1898 are being mustered out of the United States service; and

WHEREAS, The said volunteers gave up their various avocations, in many instances at great sacrifice; and

WHEREAS, Those sent to the Philippine Islands have been engaged in active service for a long period, and upon discharge will require reasonable time to establish themselves in various pursuits; therefore, be it

Resolved by the Assembly, the Senate concurring, That Congress be requested to make an appropriation sufficient to pay each of said volunteers who have been in service in

the Philippine Islands, upon their discharge, the sum of \$60 in addition to their compensation now provided by law;

Resolved further, That the Chief Clerk of the Assembly be and he is hereby instructed to mail a copy of these resolutions to the President of the United States and to each member of our delegation in Congress.

Joint resolution read and adopted.

SPECIAL ORDERS.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 31, 1897," relating to the classification of counties into agricultural districts.

Passed on file.

Assembly Bill No. 1004—An Act appropriating \$5,000 for enabling the people of the State of California to suitably entertain Admiral George Dewey, and any of his subordinates who may accompany him, when he visits this State, and to authorize the Governor to invite Admiral Dewey to visit the State, and to expend such money in such manner as the Governor may deem proper.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 1004.

Motion carried, and it was ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 1004 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1004—An Act appropriating \$5,000 for enabling the people of the State of California to suitably entertain Admiral George Dewey, and any of his subordinates who may accompany him, when he visits this State, and to authorize the Governor to invite Admiral Dewey to visit the State, and to expend such money in such manner as the Governor may deem proper—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 1004 ordered considered engrossed and to third reading.

Assembly Bill No. 764—An Act making an appropriation for reimbursing the County of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Clough, Conrey, Cosper, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Johnson, Knights, Know-

land, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 697—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Boone, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Cosper, Crowder, Dale, De Lancie, Dibble, Fairweather, Feliz, Griffin, Hanley, Henry, Jilson, Johnson, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Pierce, Raub, Robinson, D. Sullivan, Wade, White, Works, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 628—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a reformatory for the confinement and reformation of prison convicts, to select and to secure the site, and submit sketch plans and specifications therefor, to investigate and report upon the feasibility of the sale of the property belonging to the State at San Quentin, and of segregating the prisoners into classes, looking to the confinement of incorrigibles at the Folsom State Prison, to enlarge said prison for that purpose, and to the confinement of prisoners capable of reformation at such reformatory, when established, and to make an appropriation for such purposes.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Atherton, Brown, Burnett, Caminetti, Conrey, Cosper, Crowder, Dale, De Lancie, Dunlap, Fairweather, Glenn, Griffin, Johnson, Knights, McDonald of Alameda, Mead, Melick, Sanford, Valentine, Works, and Mr. Speaker—22.

NOES—Messrs. Barry, Beecher, Belshaw, Blood, Boone, Brooke, Chynoweth, Clough, Cobb, Cowan, Devoto, Dibble, Feliz, Henry, Hoey, Jilson, Kelley, Kennecally, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, O'Brien, Pierce, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—37.

NOTICES OF MOTION TO RECONSIDER.

Mr. Milice gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 628 was this day refused final passage.

Mr. Works gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 628 was this day refused final passage.

Assembly Bill No. 712 (Substitute for Assembly Bills Nos. 18 and 173)—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowder,

Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—68

Title read and approved.

RESOLUTION—(CASE OF URGENCY).

By Mr. Johnson:

Resolved, That Assembly Bill No. 1004 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Boone, Brown, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1004—An Act appropriating \$5,000 to entertain Admiral Dewey upon the occasion of his visit to California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lancia, Dibble, Glenn, Hanley, Jilson, Johnson, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—53.

NOES—None.

Title read and approved.

MOTION.

Mr. Brown moved that the Assembly do now consider messages from the Governor.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 11, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 147.

HENRY T. GAGE,
Governor of the State of California.

RESOLUTION—(OUT OF ORDER).

By Mr. Wardell:

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of Chief Clerk Kyle for the sum of \$41 99 for the purpose of paying the attached bill, and the Treasurer of State is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

SACRAMENTO, March 3, 1899.

Members of Assembly to Western Union Telegraph Co., Dr.:

March 3, cable telegram to Admiral Dewey, Manila, 17 words @ \$2 47 per word....\$41 99

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON DAIRIES AND DAIRY PRODUCTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Dairies and Dairy Products, to whom was referred Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

LIE BARON, Chairman.

Senate Bill No. 732 ordered on Senate special file.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 264—An Act to prohibit the use of stagnant water in the drinking troughs used by domestic animals, and to prevent the spread of infectious diseases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARGILL, Chairman.

Senate Bill No. 264 ordered on Senate special file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 311—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and all amendments thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

RAW, Chairman.

Senate Bill No. 311 ordered on Senate special file.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed.

Passed on file.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER, }
Saturday, March 11, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and

manner of holding elections for Senator in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Boyce, Braunhart, Bulla, Burnett, Chapman, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Trout, and Wolfe—32.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Atherton, Barry, Beccher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelly, Kelsey, Keneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—72.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, March 10, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, March 10, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6

For D. M. Burns—Senators Burnett, Hoey, Laird, Shortridge, Simpson, and Wolfe—6.

For U. S. Grant, Jr.—Senators Boyce, Jones, Nutt, Smith, and Trout—5

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For Gavin McNab—Senators Braunhart, Chapman, Curtin, Doty, La Rue, Pace, Prisk, and Sims—8.

For James D. Phelan—Senator Hall—1.

For Samuel Braunhart—Senator Ashe—1.

Whole number of votes cast by Senators.....	30
W. H. L. Barnes received.....	6 votes.
D. M. Burns received.....	6 votes.
U. S. Grant, Jr., received.....	5 votes.
Irving M. Scott received.....	3 votes.
Gavin McNab received.....	3 votes.
James D. Phelan received.....	1 vote.
Samuel Brauhart received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Robinson, and Valentine—13

For M. M. Estee—Mr Wade—1.

For D. M. Burns—Messrs. Barry, Beccher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kenneally, Lundquist, McKeen, Pierce, Rickard, Eugene Sullivan, and Wright—16

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lance, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Raub, Raw, and Works—18.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Gavin McNab—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Fairweather, Griffin, Hoey, Mack, Mead, Meserve, Sanford, E. D. Sullivan, Wardell, and White—15.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Mr. Glenn—1.

For Samuel Brauhart—Messrs. Feliz, Hanley, and O'Brien—3.

Whole number of votes cast by Assemblymen.....	70
W. H. L. Barnes received.....	13 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	16 votes.
U. S. Grant, Jr., received.....	18 votes.
Irving M. Scott received.....	2 votes.
Gavin McNab received.....	15 votes.
John Rosenfeld received.....	1 vote.
James D. Phelan received.....	1 vote.
Samuel Brauhart received.....	3 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	100
Necessary to a choice.....	51
W. H. L. Barnes received.....	19 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	22 votes.
U. S. Grant, Jr., received.....	23 votes.
Irving M. Scott received.....	5 votes.
John Rosenfeld received.....	1 vote.
Gavin McNab received.....	23 votes.
James D. Phelan received.....	2 votes.
Samuel Brauhart received.....	4 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-three minutes P. M., Assemblyman Dibble moved to adjourn until Monday, March 13, 1899, at twelve o'clock M.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Monday, March 13, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-four minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 47—An Act to amend Section 680 of the Political Code of the State of California, relating to investing school funds.

Also: Assembly Bill No. 550—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Concurrent Resolution No. 12—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Also: Senate Constitutional Amendment No. 15—Relative to an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation—report the same back, with two amendments, and recommend their adoption as amended.

JOHNSON, Chairman.

Assembly Bills Nos. 47, 550, and 672 ordered on second-reading file.

Assembly Concurrent Resolution No. 12 ordered on third-reading file.

Senate Constitutional Amendment No. 15 ordered on Senate special file.

SENATE SPECIAL FILE.

Senate Bill No. 63—An Act to amend Section 1227 of the Civil Code of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Barry, Blood, Boone, Brooke, Cobb, Cosper, Cowan, De Lancie, Dunlap, Fairweather, Henry, Jilson, Knights, Le Baron, Lardner, Marvin, McDonald of Tuolumne, McKee, Merritt, Milice, Pierce, Rickard, Robinson, and Mr. Speaker—24.

NOES—Messrs. Atherton, Beecher, Belshaw, Brown, Crowder, Dale, Dibble, Feliz, Hoey, Johnson, Mack, McDonald of Alameda, Mead, O'Brien, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and White—22.

NOTICE OF MOTION TO RECONSIDER.

Mr. Johnson gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 63 was this day refused final passage.

Senate Constitutional Amendment No. 4—Proposing to the people of the State of California an amendment to the Constitution of the State by

adding a new section, to be known and designated as Section 2½, Article II thereof, concerning primary elections.

Mr. Johnson moved to amend as follows:

In line 13, page 2, printed bill, strike out the words "city, or in any."

Also: Strike out all of lines 14, 15, and 16, and insert in lieu thereof the following: "city, or any city and county, or in any county, or in any political subdivision of a designated population, and that such law shall be optional in any city, city and county, county, or political subdivision of a lesser population, and for such purpose such law may declare the population of any city, city and county, county, or political subdivision, and may also provide what, if any, compensation primary election officers in defined places or political subdivisions may receive without making compensation either general or uniform."

Amendment adopted.

Senate Constitutional Amendment No. 4 ordered to print.

LEAVE OF ABSENCE.

Messrs. Crowder, Knowland, and Miller of Los Angeles were granted leave of absence for the day.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 412—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.
Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Caminetti, Chynoweth, Clough, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Henry, Hoey, Johnson, Kelley, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, Wade, and Mr. Speaker—44.

NOES—Messrs. Barry and E. D. Sullivan—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal, of Alameda, California, for advertising the constitutional amendments.

RICKARD, Chairman.

Assembly Bill No. 907 ordered on third-reading file.

At two o'clock and forty-five minutes P. M., the Speaker called Mr. Dibble to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.
Read second time.

Mr. Caminetti moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bill No. 283.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 283 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry—and do now report, and recommend that the same do pass.

DIBBLE, Chairman.

Report adopted.

Senate Bill No. 283 ordered to third reading.

Senate Bill No. 363—An Act to amend Section 2022 of the Political Code of California.

Read second time.

Mr. Radcliff moved to amend as follows :

Amend by striking out all of the title after the words "An Act," and inserting in lieu thereof the following: "providing that all encampments of the National Guard shall be held at the State camp of instruction, unless otherwise ordered."

Amendment adopted.

Also: Strike out all of lines 1 and 2, and the figures "2022" in line 3, Section 1, printed bill, and insert in lieu thereof the word and figure "Section 1."

Amendment adopted.

Also: Strike out of line 7, Section 1, printed bill, page 1, the words "except as herein" after provided."

Amendment adopted.

Also: In line 8, Section 1, printed bill, put a period after the words "Commander-in-Chief," and strike out all thereafter in said section.

Amendment adopted.

Senate Bill No. 363 ordered to print and third reading.

Senate Bill No. 662—An Act to amend Section 1416 of the Civil Code, relative to water rights.

Read second time.

Mr. Johnson moved to amend as follows:

Strike out all after the word "rain," in line 7, page 1, printed bill.

Amendment adopted.

Senate Bill No. 662 ordered to print and third reading.

Senate Bill No. 464—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

Read second time, and ordered to third reading.

Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Read second time.

Mr. Radcliff moved to amend as follows:

Strike out all of Section 1 after the compound word "ninety-nine," in line 2 of printed bill, down to and including the word "street," in line 3, and in lieu thereof insert the following: "the blocks and fractional blocks of State property bounded by Pacific, Davis, and East streets."

Amendment adopted.

Also: Strike out the words "section four," in line 6, and insert in lieu thereof the words "blocks or fractional blocks"

Amendment adopted.

Also: Strike out all after the word "said," in line 11, down to and including the word "four," in line 12, page 2, and insert the word "blocks"

Amendment adopted.

Also: Strike out all after the word "prescribed," in line 19, page 2, down to the end of Section 1.

Amendment adopted.

Also: Strike out the ";" (semicolon) after the word "prescribed," and insert a "." (period) in lieu thereof in line 19.

Amendment adopted.

Senate Bill No. 43 ordered to print and third reading.

Senate Concurrent Resolution No. 11—Relative to amending Joint Rule XXIII.

Read, and refused adoption.

Senate Bill No. 359—An Act to regulate the practice of architecture.

Read second time, and ordered to third reading.

Senate Bill No. 240—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read second time, and ordered to third reading.

Senate Bill No. 731—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered 64½, relating to elections, by providing for the punishment of offenses at primary elections.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

Y^ES—Messrs. Atherton, Barry, Belshaw, Blood, Boone, Brooke, Caminetti, Chynoweth, Clough, Cobb, Cosper, Crowder, De Lancia, Dibble, Dunlap, Felz, Hanley, Henry, Hoey, Johnson, Kelley, Knights, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—44.

N^OES—Mr Raw—1.

Title read and approved.

REPORTS OF 'STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 597 and 662.

Assembly Bill No. 597—An Act authorizing the Attorney-General to appoint a competent person to compile and index the opinions of the Attorneys-General of the State of California, and making an appropriation for the payment of such compilation and indexing.

Assembly Bill No. 662—An Act making an appropriation to pay the salaries of the employes of the Commissioner of Public Works.

And were presented to the Governor March 11, 1899, at two o'clock and fifty minutes P. M.

RICKARD, Chairman.

ON FRUIT AND VINE INTERESTS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 788—An Act to repeal an Act to promote the horticultural interests

of the State by providing County Boards of Horticulture, and repealing an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881; and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891; said Act approved March 31, 1897 (Statutes of 1897, Chapter CCXXXIII)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 962—An Act requiring packers of canned goods to stamp in the tin of one end of each can containing any article of food the year such contents was canned, and fixing penalty for violation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BECKER, Chairman.

Assembly Bills Nos. 788 and 962 ordered on second-reading file.

NOTICE OF MOTION TO RECONSIDER.

Mr. Feliz gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 442 was this day finally passed.

MOTIONS.

Mr. Crowder moved that the rules be suspended, and that Assembly Bill No. 550 be now considered.

So ordered.

Assembly Bill No. 550—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Read second time, ordered to engrossment and third reading.

Mr. Boone moved that the rules be suspended, and that Assembly Bill No. 672 be now considered.

So ordered.

Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

Mr. Boone moved to amend as follows:

Amend by striking out all after the enacting clause, and inserting as follows:

"SECTION 1. Section one hundred and seventy of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, is hereby amended to read as follows:

"Section 170. In counties of the thirteenth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"1. The County Clerk, four thousand dollars per annum.

"2. The Sheriff, six thousand five hundred dollars per annum, and muleage for the service of any and all processes required by law to be served by him, at the rate of ten cents per mile for every mile necessarily traveled in the performance of such duty.

"3. The Recorder, one thousand six hundred fifty dollars per annum, and six cents per folio for every instrument of any character transcribed by him or his deputies, which said amounts shall be paid by the County Treasurer out of the County Treasury.

"4. The Auditor, eighteen hundred dollars per annum.

"5. The Treasurer, two thousand dollars per annum.

"6. The Tax Collector, three thousand six hundred dollars per annum; *provided*, that as such Tax Collector, or as ex officio License Collector, he shall not have or receive any compensation for or percentage upon the collection of any license.

"7. The Assessor, three thousand six hundred dollars per annum.

"8. The District Attorney, three thousand two hundred dollars per annum.

"9. The Coroner, such fees as are now or may be hereafter allowed by law.

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, one thousand eight hundred dollars per annum, and actual traveling expenses when visiting the schools of his county.

"12. The Surveyor, such fees as are now or may be hereafter allowed by law.

"13. In townships having a population of thirty-five hundred and over, Justices of the Peace shall receive a monthly salary of eighty-five dollars per month, which said salary shall be in full compensation for all services of said Justice of the Peace in both civil and criminal cases, and all fees allowed by law for the services of such officer for

civil cases shall be paid into the County Treasury as the fees of county officers are paid in. In townships having a population of twenty-five hundred and under thirty-five hundred, Justices of the Peace shall receive the sum of thirty dollars per month in full compensation for all services in criminal cases, but the Justice of the Peace in such townships may retain for their own use the fees which are now or hereafter may be allowed by law in civil cases. In townships having a population of fifteen hundred and under twenty-five hundred, Justices of the Peace shall receive as full compensation for all services rendered in criminal cases, the sum of ten dollars per month, and in addition thereto may retain for their own use the fees which are now or hereafter may be allowed by law in civil cases.

"14. Constables in a township having a population of more than thirty-five hundred shall receive as full compensation for all services rendered in criminal cases the sum of fifty dollars per month, and in addition thereto may retain for their own use the fees now or hereafter allowed by law in civil cases. In townships having a population of twenty-five hundred and under thirty-five hundred, Constables shall receive as full compensation for all services rendered in criminal cases the sum of thirty dollars per month, and in addition thereto such fees as are now or may be hereafter allowed by law in civil cases. In townships having a population of fifteen hundred and under twenty-five hundred, Constables shall receive as full compensation for services rendered in criminal cases the sum of twenty dollars per month, and in addition thereto such fees as are now or may be hereafter be allowed by law in civil cases. In townships having a population of less than fifteen hundred, Constables shall receive as full compensation for services rendered in criminal cases the sum of ten dollars per month, and in addition thereto such fees as are now or may be hereafter be allowed by law in civil cases; *provided, however*, that all Constables shall receive ten cents per mile one way as mileage for each mile necessarily traveled in the execution of all criminal process.

"14½. The Board of Supervisors shall determine the population of each township for the purpose of fixing the salary of the township officers as aforesaid.

"15. Each Supervisor, one thousand dollars per annum, for all services performed by them as Supervisors, and members of the Board of Equalization, and as Road Commissioner.

"16. In counties of this class the official reporter of the Superior Court shall receive, as full compensation in taking notes in civil and criminal cases tried in said court, a monthly salary of one hundred and twenty-five dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the court may direct. Whenever the services of a reporter are demanded in a civil action or proceeding, he shall collect in advance from the parties thereto, and pay into the County Treasury the sum of five dollars for each day's services in taking notes.

"No fees shall be allowed the Sheriff or Tax Collector for collecting licenses in counties of this class.

"This Act shall take effect from and after May 1, 1899."

Amendment adopted.

Assembly Bill No. 672 ordered to print, engrossment, and third reading.

Mr. McDonald of Alameda moved that the rules be suspended, and that Senate Bill No. 218 be considered at this time.

So ordered.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Read second time, and ordered to third reading.

Mr. Pierce moved that the rules be suspended, and that Assembly Bill No. 937 be considered at this time.

So ordered.

Assembly Bill No. 937—An Act to amend Sections 1637 and 1638 of Part III, Chapter III, Title III of the Political Code, relating to the school law of California.

Read second time, and ordered to third reading.

Mr. Rickard moved that the rules be suspended, and that Assembly Bill No. 454 be considered at this time.

So ordered.

Assembly Bill No. 454—An Act to amend Section 3196 of the Political Code, relating to the definition of trademarks.

Read second time.

Mr. Rickard moved to amend by inserting the following:

"The people of the State of California, represented in Senate and Assembly, do enact as follows."

Amendment adopted.

Assembly Bill No. 454 ordered to print, engrossment, and third reading.

Mr. O'Brien moved that the rules be suspended, and that Assembly Bill No. 889 be considered at this time.

So ordered.

Assembly Bill No. 889—An Act making transfer checks or tickets issued to a passenger on any street cars operated in any city and county in this State transferable, and conferring on the transferee thereof all the rights and privileges of the original holder, and providing a punishment for a violation thereof.

Read second time, ordered to print, engrossment, and third reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services.

Read second time.

Senate Bill No. 272—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

Read second time.

Senate Bill No. 560—An Act making an appropriation to pay the claim of the Evening Bulletin, for advertising constitutional amendments.

Read second time.

Senate Bill No. 599—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising the constitutional amendments for the year 1898.

Read second time.

Senate Bill No. 558—An Act making an appropriation to pay the claim of the Daily Morning Union, for advertising constitutional amendments.

Read second time.

Senate Bill No. 559—An Act making an appropriation to pay the claim of the Sierra Valley Record, for advertising constitutional amendments.

Read second time.

Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Passed on file.

Senate Bill No. 609—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 616—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing the constitutional amendments for the year 1898.

Read second time.

Senate Bill No. 617—An Act making an appropriation to pay the claim of the San Francisco Abend Post, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 627—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 626—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 629—An Act to provide for the payment of \$400 to Ed E. Leake, proprietor of the Woodland Democrat, for the advertising of the constitutional amendments voted for at the general election held in 1898, and making an appropriation therefor.

Read second time.

Senate Bill No. 631—An Act making an appropriation to pay the claim of H. B. Martin & Son, proprietors of the San Bernardino Evening Transcript, for publishing the constitutional amendments.

Read second time.

Senate Bill No. 633—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Read second time.

Senate Bill No. 637—An Act providing for the allowance and payment of the claim of H. H. Granice against the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 578—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record-Union, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 582—An Act making an appropriation to pay the claim of J. L. Phelps & Co., for advertising constitutional amendments.

Read second time.

Senate Bill No. 583—An Act making an appropriation to pay the claim of Colnon & Nunan, for advertising constitutional amendments.

Read second time.

Senate Bill No. 584—An Act making an appropriation to pay the claim of the San Francisco Chronicle, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 594—An Act making an appropriation to pay the claim of Wm. O'Brien, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 595—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 600—An Act making an appropriation to pay the claim of the Mercury Publishing and Printing Company, for advertising the constitutional amendments for the year 1898.

Read second time.

Senate Bill No. 604—An Act making an appropriation to pay the claim of the Yreka Journal, for advertising the constitutional amendments for the year 1898.

Read second time.

Senate Bill No. 606—An Act making an appropriation to pay the claim of the Alturas Plaindealer, for advertising the constitutional amendments for the year 1898.

Read second time.

Senate Bill No. 567—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 570—An Act making an appropriation to pay the claim of the Press-Democrat, for publishing the proposed constitutional amendments.

Read second time.

Senate Bill No. 573—An Act making an appropriation to pay the claim of the Sun, for advertising constitutional amendments.

Read second time.

Senate Bill No. 574—An Act making an appropriation to pay the claim of the Record, for advertising constitutional amendments.

Read second time.

Senate Bill No. 575—An Act making an appropriation to pay the claim of the Report, for advertising constitutional amendments.

Read second time.

Senate Bill No. 576—An Act making an appropriation to pay the claim of A. W. Voorsanger, publisher of the Emanu-El, for advertising the constitutional amendments.

Read second time.

Senate Bill No. 70—An Act to appropriate \$17,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system, to make the necessary changes in attics to protect the hospital buildings against fire, to appropriate money therefor, and provide for the expenditure of the same.

Read second time.

Senate Bill No. 86—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital, said building to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital, to appropriate money therefor, and to provide for the expenditure of the same.

Read second time.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed

deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Read second time.

Senate Bill No. 210—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Senate Bill No. 722—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Read second time.

Senate Bill No. 358—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bills Nos. 122, 620, 272, 560, 599, 558, 559, 609, 616, 617, 627, 626, 629, 631, 633, 637, 578, 582, 583, 584, 594, 595, 600, 604, 606, 567, 570, 573, 574, 575, 576, 70, 86, 210, 722, and 358.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 122, 620, 272, 560, 599, 558, 559, 609, 616, 617, 627, 626, 629, 631, 633, 637, 578, 582, 583, 584, 594, 595, 600, 604, 606, 567, 570, 573, 574, 575, 576, 70, 86, 210, 722, and 358 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services.

Also: Senate Bill No. 272—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No. 560—An Act making an appropriation to pay the claim of the Evening Bulletin, for advertising constitutional amendments.

Also: Senate Bill No. 599—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No. 558—An Act making an appropriation to pay the claim of the Daily Morning Union, for advertising constitutional amendments.

Also: Senate Bill No. 559—An Act making an appropriation to pay the claim of the Sierra Valley Record, for advertising the constitutional amendments.

Also: Senate Bill No. 609—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising the constitutional amendments.

Also: Senate Bill No. 616—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing the constitutional amendments for the year 1898.

Also: Senate Bill No. 617—An Act making an appropriation to pay the claim of the San Francisco Abend Post, for advertising the constitutional amendments.

Also: Senate Bill No. 627—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising the constitutional amendments.

Also: Senate Bill No 626—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising the constitutional amendments.

Also: Senate Bill No 629—An Act to provide for the payment of \$400 to Ed E. Leake, proprietor of the Woodland Democrat, for the advertising of the constitutional amendments voted for at the general election held in 1898, and making an appropriation therefor.

Also: Senate Bill No 631—An Act making an appropriation to pay the claim of H. B. Martin & Son, proprietors of the San Bernardino Evening Transcript, for publishing the constitutional amendments.

Also: Senate Bill No 633—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Also: Senate Bill No 637—An Act providing for the allowance and payment of the claim of H. H. Granice against the State of California, and making an appropriation therefor.

Also: Senate Bill No 578—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record-Union, for advertising the constitutional amendments.

Also: Senate Bill No 582—An Act making an appropriation to pay the claim of J. L. Phelps & Co, for advertising constitutional amendments.

Also: Senate Bill No 583—An Act making an appropriation to pay the claim of Colton & Nunan, for advertising constitutional amendments.

Also: Senate Bill No 584—An Act making an appropriation to pay the claim of the San Francisco Chronicle, for advertising the constitutional amendments.

Also: Senate Bill No 594—An Act making an appropriation to pay the claim of Wm O'Brien, for advertising the constitutional amendments.

Also: Senate Bill No 595—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising the constitutional amendments.

Also: Senate Bill No 600—An Act making an appropriation to pay the claim of the Mercury Publishing and Printing Company, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No 604—An Act making an appropriation to pay the claim of the Yreka Journal, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No 606—An Act making an appropriation to pay the claim of the Alturas Plaindealer, for advertising the constitutional amendments for the year 1898.

Also: Senate Bill No 597—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Also: Senate Bill No 570—An Act making an appropriation to pay the claim of the Press-Democrat, for publishing the proposed constitutional amendments.

Also: Senate Bill No 573—An Act making an appropriation to pay the claim of the Sun, for advertising constitutional amendments.

Also: Senate Bill No 574—An Act making an appropriation to pay the claim of the Record, for advertising constitutional amendments.

Also: Senate Bill No 575—An Act making an appropriation to pay the claim of the Report, for advertising constitutional amendments.

Also: Senate Bill No. 70—An Act to appropriate \$17,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital, for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system; to make the necessary changes in attics to protect the hospital buildings against fire, to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Bill No. 576—An Act making an appropriation to pay the claim of A. W. Voorsanger, publisher of the Emanu-El, for advertising the constitutional amendments.

Also: Senate Bill No. 86—An Act to appropriate \$30,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital, said building to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital, to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Bill No. 210—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Senate Bill No. 722—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Blackliffe.

Also: Senate Bill No 358—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission.

And do now report the same back, and recommend that they do pass, except that Senate Bill No 122 do pass as amended by the committee.

DIBBLE, Chairman.

Report adopted.

Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor. The following committee amendment was submitted:

Amend by striking out the words "three thousand four hundred and forty dollars and thirty-one cents," in lines 1 and 2, Section 1, page 1, printed bill, and inserting in lieu thereof the following: "one thousand five hundred and thirty-nine dollars and seventy-six cents."

Amendment adopted.

Senate Bill No. 122 ordered to print and third reading.

Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services.

Ordered to third reading.

Senate Bill No. 464—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

Ordered to third reading.

Senate Bill No. 272—An Act making an appropriation to pay the claim of the Bulletin, for advertising the constitutional amendments for the year 1896.

Ordered to third reading.

Senate Bill No. 560—An Act making an appropriation to pay the claim of the Evening Bulletin, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 599—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising the constitutional amendments for the year 1898.

Ordered to third reading.

Senate Bill No. 558—An Act making an appropriation to pay the claim of the Daily Morning Union, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 559—An Act making an appropriation to pay the claim of the Sierra Valley Record, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Ordered to third reading.

Senate Bill No. 609—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 616—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing the constitutional amendments for the year 1898.

Ordered to third reading.

Senate Bill No. 617—An Act making an appropriation to pay the claim of the San Francisco Abend Post, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 627—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 626—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 629—An Act to provide for the payment of \$400 to Ed E. Leake, proprietor of the Woodland Democrat, for the advertising of the constitutional amendments voted for at the general election held in 1898, and making an appropriation therefor.

Ordered to third reading.

Senate Bill No. 631—An Act making an appropriation to pay the claim of H. B. Martin & Son, proprietors of the San Bernardino Evening Transcript, for publishing the constitutional amendments.

Ordered to third reading.

Senate Bill No. 633—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Ordered to third reading.

Senate Bill No. 637—An Act providing for the allowance and payment of the claim of H. H. Granice against the State of California, and making an appropriation therefor.

Ordered to third reading.

Senate Bill No. 578—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record-Union, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 582—An Act making an appropriation to pay the claim of J. L. Phelps & Co., for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 583—An Act making an appropriation to pay the claim of Colnon & Nunan, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 584—An Act making an appropriation to pay the claim of the San Francisco Chronicle, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 594—An Act making an appropriation to pay the claim of William O'Brien, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 595—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 600—An Act making an appropriation to pay the claim of the Mercury Publishing and Printing Company, for advertising the constitutional amendments for the year 1898.

Ordered to third reading.

Senate Bill No. 604—An Act making an appropriation to pay the claim of the Yreka Journal, for advertising the constitutional amendments for the year 1898.

Ordered to third reading.

Senate Bill No. 606—An Act making an appropriation to pay the claim of the Alturas Plaindealer, for advertising the constitutional amendments for the year 1898.

Ordered to third reading.

Senate Bill No. 567—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising the constitutional amendments.

Ordered to third reading.

Senate Bill No. 570—An Act making an appropriation to pay the claim of the Press-Democrat, for publishing the proposed constitutional amendments.

Ordered to third reading.

Senate Bill No. 573—An Act making an appropriation to pay the claim of the Sun, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 574—An Act making an appropriation to pay the claim of the Record, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 575—An Act making an appropriation to pay the claim of the Report, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 576—An Act making an appropriation to pay the claim of A. W. Voorsanger, publisher of the Emanu-El, for advertising constitutional amendments.

Ordered to third reading.

Senate Bill No. 70—An Act to appropriate \$17,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system, to make the necessary changes in attics to protect the hospital buildings against fire, to appropriate money therefor, and provide for the expenditure of the same.

Ordered to third reading.

Senate Bill No. 86—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital, for the purpose of connecting the administration building with the ward buildings of the said Mendocino State Hospital, said building to contain an assembly hall and connecting corridor for the use of the patients of the said Mendocino State Hospital, to appropriate money therefor, and provide for the expenditure of the same.

Ordered to third reading.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Ordered to third reading.

Senate Bill No. 210—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other

purposes, to appropriate money therefor, and to authorize the expenditure of the same.

Ordered to third reading.

Senate Bill No. 722—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Ordered to third reading.

Senate Bill No. 358—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission.

Ordered to third reading.

MOTION.

Mr. Johnson moved that the Assembly do now consider messages from the Senate.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Substitute for Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to sell or traffic in or refill any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon.

Also: Passed Senate Substitute for Assembly Bill No. 441—An Act to amend Section 1 of an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government, and municipal control of annexed territory," approved March 19, 1889

And respectfully ask the adoption of said substitutes by your honorable body.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Substitute for Assembly Bill No. 22 and Senate Substitute for Assembly Bill No. 441 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 167—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 167—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 292 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and the vault connected therewith, and making an appropriation therefor.

Also: Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State of California, and such other appropriate designs pertaining to said State, by the order of the Native Sons of the Golden West, a patriotic order, created and existing under the laws of the State of California, in the making of medals to be presented by and under the auspices of said order, to the officers and members of the United States volunteer troops from California who have been in active service in the late war with Spain.

Also: Refused to pass Assembly Bill No. 500—An Act to amend Section 472 of the Political Code of California, relating to Attorney-General.

Also: Adopted Assembly Concurrent Resolution No. 22—Relative to amending Joint Rule No. XI.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 411 and 988 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 22—To propose to the people of the State of California amending the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 18, 21, and 23, and annulling Section 24 of Article VI thereof, relating to the judiciary, and establishing Courts of Appeal.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Constitutional Amendment No. 22 read, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 690—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 690 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 524—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the districts and property owners therein.

Also: Substitute for Senate Bill No. 491—An Act to amend Section 433 of the Political Code, relating to the duties of the Controller.

Also: Amended, and passed as amended, Assembly Bill No. 660—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations and other similar corporations.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 524—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the districts and the property owners therein.

Read first time, and referred to Committee on Irrigation.

Senate Bill No. 491—An Act to amend subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 660 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 349—An Act to amend Sections 1912, 1914, 1917, 1920, 1922, 1934, 1936, 1939, 1940, 1941, 1943, 1951, 1952, 1954, 1955, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1990, 1991, 1992, 1993, 2003, 2004, 2006, 2007, 2008, 2009, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2037; to repeal Sections 1918, 1923, 1927, 1929, 1937, 1938, 1969, 2003, as approved April 1, 1897; 2054, 2055, 2056, 2057, 2058, 2064, 2065, 2066, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2094, 2099, 2105, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, and to add new sections to be known and numbered as Sections 1959*a*, 1967*a*, 1978, 1987, 1988, 1989, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2005, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2033, 2034, 2035, 2036, 2037, 2038, 2038*a*, 2069, 2070, 2071, and all of and to the Political Code of the State of California, relating to the National Guard.

Also: Senate Bill No. 530—An Act to add a new section to the Penal Code of the State of California, to be known as Section 259, relating to libel.

Also: Senate Bill No. 360—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California,' approved March 26, 1895," amended March 27, 1897.

Also: Senate Bill No. 73—An Act providing for the ascertainment of the indebtedness of the State to the several District Agricultural Associations in this State, contracted in the improvement of the real estate of such associations.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 349—An Act to amend Sections 1912, 1914, 1917, 1920, 1922, 1934, 1936, 1939, 1940, 1941, 1943, 1951, 1952, 1954, 1955, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1990, 1991, 1992, 1993, 2003, 2004, 2006, 2007, 2008, 2009, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2037; to repeal Sections 1918, 1923, 1927, 1929, 1937, 1938, 1969, 2003, as approved April 1, 1897; 2054, 2055, 2056, 2057, 2058, 2064, 2065, 2066, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2094, 2099, 2105, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, and to add new sections to be known and numbered as Sections 1959*a*, 1967*a*, 1978, 1987, 1988, 1989, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2005, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2033, 2034, 2035, 2036, 2037, 2038, 2038*a*, 2069, 2070, 2071, and all of and to the Political Code of the State of California, relating to the National Guard.

Read first time, and referred to Committee on Military Affairs.

Senate Bill No. 530—An Act to add a new section to the Penal Code of the State of California, to be known as Section 259, relating to libel.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 360—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California,' approved March 26, 1895," amended March 27, 1897.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 73—An Act providing for the ascertainment of the indebtedness of the State to the several District Agricultural Associations in this State, contracted in the improvement of the real estate of such associations.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (cases of urgency) the following:

Senate Bill No. 727—An Act to appropriate the sum of \$250 to pay the claim of Daily Hanford Journal, for money due and owing the said Daily Hanford Journal from the State of California.

Senate Bill No. 726—An Act to appropriate the sum of \$150 to pay the claim of the Weekly New Era, for money due and owing the said Weekly New Era from the State of California.

Senate Bill No. 728—An Act to appropriate the sum of \$375 to pay the claim of the County Paper, for money due and owing the said County Paper from the State of California.

Senate Bill No. 522—An Act to provide for the advertising of the constitutional amendments, and to make an appropriation therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 727—An Act making an appropriation to pay the claim of the Daily Hanford Journal, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 726—An Act making an appropriation to pay the claim of the Weekly New Era, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 728—An Act making an appropriation to pay the claim of the County Paper, for advertising the constitutional amendments.

Read first time, and ordered on Senate special file.

Senate Bill No. 522—An Act to provide for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read first time, and referred to Committee on Judiciary.

RECONSIDERATION.

Mr. E. D. Sullivan moved to reconsider the vote by which Senate Bill No. 218 was ordered to third reading.

So ordered.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Mr. E. D. Sullivan moved to refer the bill to a select committee of one, with instructions to amend as follows:

Amend by adding after the word "living," in line 27, Section 1, page 2, the following: "or any deposit which, with the accumulations thereon, shall be less than fifty dollars."

So ordered.

Mr. E. D. Sullivan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits—with instructions to amend, now reports that the instructions of the House have been carried out.

E. D. SULLIVAN, Committee.

Report and amendment adopted.

Senate Bill No. 218 ordered to print and third reading.

MOTION.

Mr. Caminetti moved that Assembly Bill No. 985 be now taken up out of order and considered.

So ordered.

Assembly Bill No. 985—An Act making an appropriation to pay the expenses of the Railroad Commissioners of California in conducting certain litigation.

Read second time.

Mr. Caminetti moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Assembly Bill No. 985.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 985 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 985—An Act making an appropriation to pay the expenses of the Railroad Commissioners of California in conducting certain litigation—and do now report the same with amendments, and recommend that the same do pass as amended.

DIBBLE, Chairman

Report adopted.

Assembly Bill No. 985—An Act making an appropriation to pay the expenses of the Railroad Commissioners of California in conducting certain litigation.

Mr. Caminetti moved to amend as follows:

Strike out in line 6, page 1, the words "what is known as the grain-rate cases" and insert in lieu thereof the following: "of what is known as the grain-rate cases, and for the employment of experts in the examination of schedules of fares and freights, accounts, and such other matters necessary to sustain the contention of the State in such cases; *provided*, that no part of such appropriation shall be paid for attorney's fees."

Amendment adopted.

Assembly Bill No. 985 ordered to print, engrossment, and third reading.

MOTION.

Mr. Cosper moved that the rules be suspended and that the Assembly consider Assembly Bill No. 60 at this time.

So ordered.

Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Mr. Cosper moved that a select committee of one be appointed, with instructions to amend as follows:

Strike out the title thereof and insert in lieu thereof the following: "An Act to amend Sections 163, 167, 174, 196, 200, and 204 of an Act entitled 'An Act to establish a uniform system of county and township governments,'" approved April 1, 1897.

Also: Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. Section one hundred and sixty-three of said Act is hereby amended to read as follows:

"Section 163. In counties of the sixth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"1. The County Clerk, five thousand dollars per annum; *provided*, that he shall appoint one chief deputy at a salary of twelve hundred dollars per annum, and two court-room deputies at a salary of nine hundred dollars per annum each. The salaries of said three deputies shall be paid by said County Clerk out of said five thousand dollars compensation above named.

"2. The Sheriff, six thousand two hundred dollars per annum; *provided*, that he shall appoint one under-sheriff at a salary of fifteen hundred dollars per annum, and three deputy sheriffs at a salary of nine hundred dollars per annum each. The salaries of said under-sheriff and deputies shall be paid by said Sheriff out of said sixty-two hundred dollars compensation above named; *provided also*, that the Sheriff shall have the authority to appoint one extra deputy at a salary of nine hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid. The Sheriff shall also receive, as compensation for traveling, to be computed in all cases from the court-house, to serve any summons and complaint, or any other process by which an action or proceeding is commenced, notice, rule, order, subpoena, attachment on property, to levy an execution, post notices of sale, to sell property under execution or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, in executing writ of habeas corpus, or collecting taxes, in going only, twenty cents for each mile; *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant points to complete such service, which distance shall in all cases be estimated by the nearest practicable route.

"3. The Recorder, three thousand nine hundred dollars per annum; *provided*, that the Recorder shall appoint a chief deputy at a salary of one thousand two hundred dollars per annum, and two copyists at a salary of six hundred dollars per annum each, which salary of chief deputy and of said two copyists shall be paid by said Recorder out of said three thousand nine hundred dollars compensation above named.

"4. The Auditor, one thousand dollars per annum.

"5. The Treasurer, two thousand dollars per annum.

"6. The Tax Collector, twelve hundred dollars per annum.

"7. The Assessor, four thousand two hundred dollars per annum; *provided*, that the Assessor shall appoint eight deputy assessors at a salary of three hundred dollars per annum each, all of which deputies' salaries shall be paid by said Assessor out of said four thousand two hundred dollars compensation above named.

"8. The District Attorney, two thousand four hundred dollars per annum, and one Assistant District Attorney at a salary of fifteen hundred dollars per annum, and one clerk at a salary of six hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid; said Assistant District Attorney allowed in lieu of the Assistant District Attorney allowed by virtue of subdivision thirty-six of section twenty-five of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March twenty-fourth, eighteen hundred and ninety-three.

"9. The Coroner, such fees as are now or may be hereafter allowed by law.

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, two thousand dollars per annum, and actual traveling expenses when visiting the schools of his county.

"12. The Surveyor shall receive one thousand five hundred dollars per annum for all work performed by the county, and in addition thereto all necessary and actual traveling expenses incurred in connection with field work; *provided*, that whenever the Surveyor is directed by the Board of Supervisors to plat, trace, or otherwise prepare maps, plats, or block-book for use of the County Assessor, he shall be allowed only the actual cost of preparing the same; *provided further*, that all fees now or which may be hereafter allowed by law shall be paid into the County Treasury for the benefit of the county.

"13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.

"14. Constables, such fees as are now or may be hereafter allowed by law.

"15. Supervisors, for all services required of them by law or by virtue of their office, must be allowed six dollars per day, and thirty cents per mile in traveling from their place of residence to the court-house; *provided*, that only one mileage must be allowed at each term; *and provided further*, that no Supervisor must be allowed more than one day's pay for any one day, by reason of his being on the committees appointed by the Board of Supervisors, or for any other cause, *provided*, that in no case shall the per diem of the Supervisors exceed eight hundred dollars each in one year.

"16. In counties of this class the official reporter of each department of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said court, and for all preliminary examinations and other services rendered in court, a monthly salary of one hundred and twenty-five dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum

of ten cents per folio for the original, and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors, as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or when ordered by the Judge, by either party, or jointly by both parties, as the court may direct.

"17. The Board of Supervisors shall have the control of all county printing for all officers of the county government in counties of this class.

"Sec. 2. Section one hundred and seventy-four of said Act is hereby amended to read as follows:

"Section 174. In counties of the seventeenth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

"1. The County Clerk, two thousand dollars per annum; he shall appoint a clerk to the Board of Supervisors, which office is hereby created, at a salary of six hundred dollars per annum. The salary of said clerk to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid.

"2. The Sheriff, three thousand five hundred dollars per annum; he shall appoint one under-sheriff, which office is hereby created, at a salary of one thousand dollars per annum. The salary of said under-sheriff to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid. The Sheriff shall also be allowed the fees, mileage, or commissions for the service of all papers whatever issued by any court outside of his county, and all mileage for service of papers issued out of any civil case in his own county.

"3. The Recorder, sixteen hundred dollars per annum; he shall appoint one abstract clerk, which office is hereby created, at a salary of six hundred dollars per annum; the salary of said clerk to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officers are paid.

"4. The Auditor, fifteen hundred dollars per annum.

"5. The Treasurer, eighteen hundred dollars per annum.

"6. The Tax Collector and License Collector, two thousand dollars per annum, which shall be in full for all services as tax and license collector.

"7. The Assessor, fifteen hundred dollars per annum; he shall appoint one office deputy, which office is hereby created, at a salary of one thousand dollars per annum; the salary of said deputy to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid.

"8. The District Attorney, eighteen hundred dollars per annum; he shall appoint a stenographer, which office is hereby created, at a salary of six hundred dollars per annum; the salary of said stenographer to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid.

"9. The Coroner, such fees as are now or may be hereafter allowed by law.

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, sixteen hundred dollars per annum.

"12. The Surveyor, such fees as are now or may be hereafter allowed by law.

"13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.

"14. Constables, such fees as are now or may be hereafter allowed by law.

"15. Each member of the Board of Supervisors, five hundred dollars per annum and ten cents per mile mileage in traveling to and from his residence to the county seat. For serving as Road Commissioner he shall receive a salary of six hundred dollars per annum, payable in equal monthly installments, at the same time and in the same manner as other county officials are paid.

"16. In counties of this class the official reporter of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said courts a monthly salary of sixty dollars, payable out of the County Treasury, at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original and five cents per folio for a copy; said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct.

"17. The Board of Supervisors shall have the control of all county printing for all officers of the county government in counties of this class.

"18. The provisions of this section shall take effect immediately."

"Sec. 3. Section one hundred and ninety-six of said Act is hereby amended to read as follows:

"Section 196. In counties of the thirty-ninth class the officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

"1. The County Clerk, two thousand four hundred dollars per annum.

"2. The Sheriff, four thousand dollars per annum, and the fees or commissions for the service of all papers issued by any court of the State outside of his county. Also his actual traveling expenses in the execution of a warrant outside of his county issued by a magistrate or court of his county; *provided*, that in counties of this class there

shall be and there hereby is allowed to the Sheriff, one deputy sheriff, who shall be appointed by the Sheriff, and he shall be paid by the county a salary of fifteen hundred dollars per annum, in the same manner as the salaries of county officers are paid.

"3. The Recorder, eighteen hundred dollars per annum.

"4. The Auditor, one thousand eight hundred dollars per annum.

"5. The Treasurer, one thousand six hundred dollars per annum.

"6. The Tax Collector, one thousand two hundred dollars per annum.

"7. The Assessor, three thousand dollars per annum; *provided*, that in counties of this class the Assessor, immediately after this Act takes effect, shall appoint one deputy whose duty it shall be to assist the Assessor in the performance of the general duties of his office, and who shall, under the supervision, direction and control of the Assessor, grade the lands in the county in a systematic manner and make a permanent record thereof for the use of the present Assessor, his successors in office, and the general public. The said deputy shall be paid by the county a salary of twelve hundred dollars per year, payable in the same manner as the salaries of county officers are paid.

"8. The District Attorney, two thousand dollars per annum.

"9. The Coroner, such fees as are now or may be hereafter allowed by law.

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, one thousand six hundred dollars per annum, and actual traveling expenses when visiting the schools of his county.

"12. The Surveyor, fifteen hundred dollars per annum, which shall be in full for all services required of him by the Superior Court or the Board of Supervisors, and as ex officio County Recorder; *provided*, that he shall be entitled to receive from the county his actual and necessary traveling expenses incurred in the performance of any order of the court or Board of Supervisors; *provided further*, that the county shall pay for any expert professional services required by him in making any county map or draw-bridge plans and specifications which the Board of Supervisors may order him to make. For all other services, the fees allowed by law.

"13. In townships having a population of twelve hundred or more, the Justices of the Peace shall receive a salary of seventy-five dollars per month for all services rendered in criminal cases in lieu of the fees now allowed by law, which salary shall be paid monthly as the salaries of county officers are paid. For all other services, the fees allowed by law.

"14. In townships having a population of twelve hundred or more, the Constables shall be paid a salary of seventy-five dollars per month for all services rendered by them in criminal cases in lieu of the fees now allowed by law, which salary shall be paid monthly as the salaries of county officers are paid; also, the expense for conveyance in taking prisoners to the county jail after commitment under sentence. For all other services, the fees allowed by law.

"15. Each Supervisor, one hundred dollars per month and twenty-five cents per mile for traveling from his residence to the county seat to attend any session of the Board; also, his necessary traveling expenses incurred in the performance of any duty as a member of any committee of the Board of Supervisors, including the annual attendance at conventions of the Supervisors of California.

"16. The official reporter, such fees as are now provided by law.

"17. This Act, so far as it relates to counties of the thirty-ninth class, shall take effect immediately, and nothing herein contained shall be construed to be an increase of the compensation of any officer herein mentioned, but the provisions of this section shall be given immediate operation and effect according to the true intention and spirit thereof.

"Sec 4. Section two hundred of said Act is hereby amended to read as follows:

"Section 200. In counties of the forty-third class, the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"1. The County Clerk, six hundred dollars per annum, and such fees as are now or may be hereafter allowed by law; *provided*, that in addition to such fees as are now allowed by law, such Clerk shall be allowed and receive, as and for a part of his compensation, the sum of ten dollars for each criminal case filed in his office, and twenty cents for each name entered upon the Great Register of said county, such sum to be allowed and paid monthly, as are other claims in said county. The provision of this section shall take effect from and after the passage of this Act.

"2. The Sheriff, thirty-five hundred dollars per annum, and one jailer, at a salary of nine hundred dollars per annum.

"3. The Recorder, six hundred dollars per annum, and six cents per folio for every instrument of any character transcribed by him or any of his deputies, which said amounts shall be paid out of the County Treasury.

"4. The Auditor, seven hundred dollars per annum.

"5. The Treasurer, one thousand dollars per annum.

"6. The Tax Collector, eight hundred dollars per annum.

"7. The Assessor, twenty-two hundred dollars per annum.

"8. The District Attorney, eighteen hundred dollars per annum.

"9. The Coroner, such fees as are now or may hereafter be provided by law;

"10. The Public Administrator, such fees as are now or may hereafter be allowed by law.

"11. The Superintendent of Schools, fifteen hundred dollars per annum for all services performed as School Superintendent and member of the Board of Education

"12. The Surveyor, such fees as are now or may be hereafter allowed by law.

"13. The Justices of the Peace, such fees as are now or may hereafter be allowed by law.

"14. Constables, such fees as are now or may be hereafter allowed by law; *provided*, that the fees and compensation of any Constable in criminal cases or proceedings to which the people of the State of California are or may be made a party, shall not exceed nine hundred dollars for any one year

"15. Each Supervisor shall receive for compensation, five dollars per day for all services performed as Supervisor and member of the Board of Equalization, not to exceed the sum of four hundred dollars per annum, also, three dollars per day for each day actually engaged in performing the duties of Road Commissioner, not to exceed three hundred dollars per annum.

"16. In counties of this class the official reporter of the Superior Court shall receive as full compensation for all services rendered by him in taking notes in civil and criminal cases tried in said court, and in preliminary examinations before a magistrate, and in all cases before a Coroner in which the services of a shorthand reporter are required by law, and for the transcription of said notes when required, a monthly salary of one hundred dollars, payable out of the County Treasury at the same time and in the same manner as the salaries of county officers. When necessary for such reporter to travel away from the county in performance of his duty, he shall receive his actual and necessary traveling expenses, to be allowed and paid by the Board of Supervisors as are other county charges. Such salary to be in lieu of all fees which are now or hereafter may be allowed to him by law, *provided*, that the County Auditor shall not draw his warrant for said salary except the reporter shall first file with him a certificate that all such transcription ordered to the date thereof has been duly completed and filed.

"SEC. 5. Section two hundred and four of said Act is hereby amended to read as follows:

"Section 204. In counties of the forty-seventh class the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

"1. The County Clerk, eighteen hundred dollars per annum.

"2. The Sheriff, three thousand dollars per annum, and the fees or commissions for the service of all papers issued by any court of the State outside of his county, also, his actual and necessary traveling expenses in the execution of a warrant outside of his county, issued by a court or magistrate of his county.

"3. The Recorder, one thousand dollars per annum.

"4. The Auditor, eight hundred dollars per annum.

"5. The Treasurer, twelve hundred dollars per annum.

"6. The Tax Collector, one thousand dollars per annum.

"7. The Assessor, two thousand dollars per annum.

"8. The District Attorney, sixteen hundred dollars per annum.

"9. The Coroner, such fees as are now or may be hereafter allowed by law

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, sixteen hundred dollars per annum, and actual traveling expenses while visiting schools of his county.

"12. The Surveyor, such fees as are now or may be hereafter allowed by law.

"13. Justices of the Peace, the following monthly salaries, to be paid each month as the salaries of the county officers are paid, which shall be in full for all services rendered by them in criminal cases. In townships having a population of fifteen hundred or over, sixty dollars per month; in townships having a population of one thousand and less than fifteen hundred, fifty dollars per month; in townships having a population of three hundred and less than seven hundred, twenty-five dollars per month. Each Justice shall pay into the County Treasury once a month all fines collected by him. In addition to the monthly salary allowed herein, each Justice may receive for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions.

"14. Constables, the following salaries, which shall be paid monthly as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases, to wit: In townships having a population of fifteen hundred or over, sixty dollars per month; in townships having a population of one thousand and less than fifteen hundred, fifty dollars per month; in townships having a population of seven hundred and less than one thousand, forty dollars per month; in townships having a population of three hundred and less than seven hundred, twenty-five dollars per month. In addition to the monthly salary allowed herein, each Constable may receive and retain for his own use such fees as are now or hereafter may be allowed by law for all services performed by him in civil actions; *provided also*, that he shall be paid by the county his actual and necessary expenses incurred in conveying prisoners to the county jail; *providing further*, that he be allowed his actual and necessary expenses incurred in executing any warrant outside of his county issued by a magistrate or justice of his county, not to exceed in the aggregate a sum equal to ten cents per mile necessarily traveled outside of his county in the execution of such warrants.

"15. Each Supervisor, five dollars per day while attending session of the board and while engaged in the performance of the duties of Road Commissioner, and mile-

age at the rate of twenty cents per mile for traveling from residence to county seat in attendance upon a regular session of the board.

"16. Official reporters, same as now provided by law.

"This Act, so far as it relates to counties of the forty-seventh class, shall take effect immediately as to the offices of Justices of the Peace and Constables, but shall not affect the compensation of other officers during the present term of office.

"Sec. 6. Section one hundred and sixty-seven of said Act is hereby amended to read as follows:

"SECTION 1. Section one hundred and sixty-seven of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven, is hereby amended to read as follows:

"1. Counties of the tenth class, the county officers shall receive as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"2. The County Clerk, one thousand five hundred dollars per annum. He shall appoint one chief deputy at a salary of nine hundred dollars per annum, which said deputy shall act as clerk of the Board of Supervisors; he may also appoint two court-room deputies at a salary of nine hundred dollars each per annum. The salaries of each of said deputies to be paid out of the County Treasury in equal monthly installments in the same manner and at the same time as other county officials are paid. The sum of five hundred dollars, or so much thereof as may be necessary shall be allowed the Clerk from the county for the payment of register clerks, and other clerical assistance, when a Great Register shall be ordered by the Board of Supervisors.

"3. The Sheriff, two thousand dollars per annum. He shall appoint one under-sheriff at a salary of nine hundred dollars per annum; he may also appoint two additional deputies who shall act as court-room deputies, at a salary of nine hundred dollars each per annum, said under-sheriff and deputies to be paid by the county, at the same time, and in the same manner as other county officials are paid. The Sheriff shall receive for his own use and benefit the fees, commissions, and mileage, which are now or which may hereafter be allowed by law, for the service of all papers or process whatsoever coming from without his county. The Sheriff shall also receive all his necessary expenses incurred while in the due performance of his duties as such Sheriff, which shall also include boarding county prisoners; *provided*, he shall not receive anything from the county for expenses incurred by him while engaged in serving papers or process coming from without his county; *provided further*, he shall not receive anything from the county for expenses incurred by him while engaged in any services for which the State pays him his expenses and per diem, or either.

"4. The Recorder, one thousand five hundred dollars per annum, and one cent per folio for recording, to be paid out of the County Treasury monthly, in the same manner and at the same time as other county officials are paid. He shall appoint one deputy, if necessary for the convenience of the public, which deputy shall be paid by said Recorder out of the fees collected by him from the county. He shall also appoint such copyists as may be necessary to perform the duties of the office, at a compensation of five cents per folio; said copyists shall be paid by said county, monthly, at the same time and out of the same fund as the salary of the County Recorder is paid. Said Recorder shall collect, for the county, from all persons depositing papers or instruments for record or filing, and for other services performed by him as such Recorder, the fees which are now or which may hereafter be allowed by law.

"Auditor.

"5. Auditor, one thousand five hundred dollars per annum.

"Treasurer.

"6. Treasurer, one thousand eight hundred dollars per annum.

"Tax Collector.

"7. Tax Collector, one thousand five hundred dollars per annum. He shall appoint one deputy at a salary of nine hundred dollars per annum; said deputy shall be paid out of the County Treasury in equal monthly installments in the same manner and at the same time as other county officials are paid. Said Tax Collector shall be allowed the further sum of four hundred dollars per annum, or such part thereof as may be needed, for additional deputy hire, which additional deputy hire shall be paid out of the County Treasury in the same manner as county officials are paid; *provided, however*, that in counties of this class, the Tax Collector shall receive no fees or commissions for the collection of licenses.

"Assessor.

"8. The Assessor shall receive one thousand five hundred dollars per annum. In counties of this class the Assessor shall not receive any commission for the collection of State poll-tax or for the collection of unsecured personal property tax, nor the five dollars per hundred names for making the military roll; *provided*, that in counties of this class there may be thirteen deputy assessors appointed by the Assessor of said county, which said deputies may hold office at the pleasure of the County Assessor from twelve o'clock meridian of the first Monday of March of each year to twelve o'clock meridian of the first Monday of July of the same year. The salary of each of said thirteen deputy assessors herein provided for shall be at the rate of seventy-five dollars per month, which shall include all expenses of said deputies during such time as each may be employed, which said salary shall be paid by said county, at the same time and out of the same fund as county officials are paid.

"District Attorney.

"9. District Attorney, one thousand five hundred dollars per annum. He shall have one deputy at a salary of one thousand dollars per annum; the salary of said deputy shall be paid by said county at the same time and in the same manner and out of the same fund as the District Attorney is paid.

"Public Administrator.

"10. Such fees as are now or which may hereafter be allowed by law.

"Coroner.

"11. Such fees as are now or which may hereafter be allowed by law.

"Superintendent of Schools.

"12. The Superintendent of Schools, in full for all services, including attendance on and services as secretary of the County Board of Education, one thousand five hundred dollars per annum, and all necessary traveling expenses while in the due performance of her duties.

"Surveyor.

"13. The County Surveyor, nine hundred dollars per annum. He shall be allowed all necessary expenses and transportation on work in the field for the county.

"Justices of the Peace.

"14. The Justices of the Peace, the following monthly salaries, to be paid each month as salaries of other county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of six thousand and over, one hundred dollars per month; in townships having a population of two thousand four hundred and less than six thousand, seventy-five dollars per month; in townships having a population of two thousand and less than two thousand four hundred, sixty-five dollars per month; in townships having a population of one thousand five hundred and less than two thousand, fifty-five dollars per month; in townships having a population of one thousand and less than one thousand five hundred, thirty dollars per month; in townships having a population of eight hundred and less than one thousand, twenty dollars per month; in townships having a population of five hundred and less than eight hundred, fifteen dollars per month; in townships having a population of less than five hundred, ten dollars per month. In addition to above salaries, each Justice of the Peace shall collect for his own use in civil cases such fees as are now or may hereafter be allowed by law.

"Constables.

"15. Constables, the following monthly salaries, to be paid each month as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of five thousand and more, one hundred dollars per month; in townships having a population of fifteen hundred and less than five thousand, sixty dollars per month; in townships having a population of one thousand and less than fifteen hundred, fifty dollars per month; in townships having a population of eight hundred and less than one thousand, thirty dollars per month; in townships having a population of five hundred and less than eight hundred, fifteen dollars per month; in townships having a population of less than five hundred, ten dollars per month. In addition to the monthly salary allowed herein, each Constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions. The population of townships shall, for the purpose of this section, be determined by multiplying the vote for Governor, cast in each township, at the next preceding election, by five.

"16. The Supervisors, each the sum of six hundred dollars per annum, and twenty cents per mile one way for attending session of the board; *provided*, that he shall not receive in any one year more than five hundred dollars for said mileage. Each Supervisor shall receive for his services as Road Commissioner twenty cents per mile one way for all distances actually traveled by him in the performance of his duties; *provided*, that he shall not receive in any one year more than five hundred dollars.

"17. The official reporter of each department of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said courts, and when requested by a Justice of the Peace or Coroner, in preliminary examinations or inquests, a salary of one thousand dollars per annum, payable in equal monthly installments out of the County Treasury, at the same time and in the manner as the salaries of other county officers; and for transcription of said notes, when required, they shall receive the sum of ten cents per folio for the original and five cents per folio for a copy, and also actual traveling expenses, when reporting outside of the county seat; said compensation for transcribing in criminal cases, preliminary examinations, and inquests, and traveling expenses, to be audited and allowed by the Board of Supervisors, as other claims against the county, and paid out of the County Treasury; and in civil cases to be paid by the party ordering the same, or when ordered by the Judge, by either party, or jointly by both parties, as the court may direct.

"18. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

"Sec. 7. This Act shall take effect from and after its passage."

Motion carried, and it was so ordered.

Mr. Cosper was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COSPER, Committee.

Report adopted.

Assembly Bill No. 60 ordered to print and final passage.

RECESS.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M., Speaker Anderson in the chair.

SPECIAL URGENCY FILE.

Assembly Bill No. 99—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to foreclosure and sale of mortgaged lands.

Read third time.

The question being on the final passage of the bill.

Pending roll call, Mr. Belshaw moved a call of the House.

So ordered.

Mr. Cowan moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Johnson, Kenneally, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Meserve, Milice, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, White, and Mr. Speaker—41.
NOES—Messrs. Hanley, E. D. Sullivan, Valentine, Wade, and Wardell—5.

Title read and approved.

Mr. Wardell moved that Assembly Bill No. 941 be substituted on file for Assembly Bill No. 443.

So ordered.

Assembly Bill No. 941—An Act to amend Section 165 of the Penal Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Johnson, Kenneally, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—47.
NOES—None.

Title read and approved.

Assembly Bill No. 684—An Act to prevent the propagation of disease through contamination of the atmosphere by gases or fumes arising from crematories for the disposition of garbage, ashes, offal, and other refuse matter, and to prescribe penalties.

Passed on file, but to retain place on file.

Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Johnson, Kenneally, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, O'Brien, Raub, Raw, Rickard, Sanford, Valentine, Wade, Wardell, White, and Mr. Speaker—42.

NOES—Messrs. Melick, Radcliff, and E. D. Sullivan—3.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 180—An Act to provide for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

DE LANCIE, Chairman.

Assembly Bill No. 180 referred to Committee on Ways and Means.

At eight o'clock and forty-five minutes P. M., the Speaker called Mr. McDonald of Alameda to the chair.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 924—An Act appropriating \$300 to pay the reward to C. W. King, for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Johnson, Kenneally, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, O'Brien, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—45.

NOES—None

Title read and approved.

Senate Bill No. 228—An Act appropriating \$45,000 to complete one wing, and equip the building now being constructed for the use of the State Normal School at San Diego, California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Fairweather,

Feliz, Glenn, Griffin, Henry, Hoey, Johnson, Kenneally, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, O'Brien, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—46.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 180—An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

VALENTINE, Chairman.

Assembly Bill No. 180 ordered to second reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 180—An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 180.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 180 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 180—An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor—and do now report the same with amendments, and recommend that the same do pass as amended.

WILLIAM McDONALD, Chairman.

Report adopted.

Assembly Bill No. 180—An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out lines 1, 2, and 3, and down to and including the word "State," in line 4, Section 5, printed bill, and insert the following: "The money derived from said tax and paid into said fund, must annually be, by the Superintendent of Public Instruction, apportioned to the several counties, and cities and counties, as follows: Two thousand dollars must be apportioned to each county, or city and county, and the sum remaining after said apportionment shall be apportioned to the several counties in proportion to the number of school census children, as shown by the returns of the School Census Marshal of the preceding year."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "and other school boards concerned" in lines 7 and 8, Section 6, page 2, printed bill, and insert the following: "or other governing board thereof."

Amendment adopted.

AMENDMENT No. 3.

Strike out the word "thereto," line 17, Section 6, page 3, printed bill.

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "or caused to be visited, by one of his deputies," in lines 2 and 3, Section 8, page 3, printed bill, and insert the following: "as often as the duties of his office will permit."

Amendment adopted.

AMENDMENT No. 5.

Strike out in line 4, Section 8, page 3, printed bill, the words "at least once in each year," and insert in lieu thereof the following: "and inquire into the course of study pursued and the management of such school."

Amendment adopted.

AMENDMENT No. 6.

Strike out in line 1, Section 11, page 4, printed bill, the words "when thereto and."

Amendment adopted.

AMENDMENT No. 7.

Strike out in lines 1 and 2, Section 14, page 5, printed bill, the words "its passage" and insert the words "June thirtieth, nineteen hundred."

Amendment adopted.

AMENDMENT No. 8.

Amend title so as to read as follows: "An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation; the creation of a fund therefor; defining the duties of the Superintendent of Public Instruction and other officers concerning such schools; and the disbursements of moneys provided by this Act, and prescribing conditions upon which the same will be paid for the use and support of such schools."

Amendment adopted.

Assembly Bill No. 180 ordered to print, engrossment, and third reading.

Assembly Bill No. 88—An Act to establish, ratify, and confirm the north boundary line of Mendocino County, between the counties of Mendocino and Trinity, as the same was surveyed and established by S. H. Rice, between September 1, 1891, and December 18, 1891, to be the true boundary line between the counties of Mendocino and Trinity, State of California.

Passed on file.

Assembly Bill No. 15—An Act to provide for the purchase and erection of a complete system of apparatus for the proper and perfect ventilation, automatic temperature regulation, and sanitation of the State Capitol building, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Brooke, Brown, Cobb, Cosper, Crowder, Dale, Dibble, Fairweather, Glenn, Griffin, Hoey, Johnson, Kelley, Kenneally, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, O'Brien, Rickard, Eugene Sullivan, E. D. Sullivan, Wardell, and White—29.

NOES—Messrs. Barry, Belshaw, Burnett, Caminetti, Clough, Dunlap, Feliz, Henry, Melick, Milce, Sanford, Valentine, Wade, and Mr. Speaker—14.

NOTICE OF MOTION TO RECONSIDER.

Mr. Henry gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 15 was this day refused final passage.

Mr. Rickard moved that Assembly Bill No. 501 be substituted on file for Assembly Bill No. 852.

So ordered.

Assembly Bill No. 501—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Brown, Caminetti, Clough, Cobb, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Johnson, Kelley, Kenneally, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Meserve, Milice, O'Brien, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Mr. Kelley moved that Assembly Bill No. 610 be substituted on file for Assembly Bill No. 38.

So ordered.

Assembly Bill No. 610—An Act authorizing the State Surveyor-General to furnish his office and vaults therein, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Cobb, Cosper, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Johnson, Kelley, Kenneally, Le Baron, Mack, McDonald of Alameda, McKeen, Merrill, Meserve, Milice, O'Brien, Raub, Raw, Rickard, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—42.

NOES—Messrs. Clough and White—2.

Title read and approved.

Mr. Burnett moved that Assembly Bill No. 567 (special order for to-day) be continued and made special order for Monday.

So ordered.

Assembly Bill No. 758—An Act to amend Sections 649 and 650 of the Civil Code.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cosper, Crowder, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hoey, Johnson, Kelley, Le Baron, Mack, McDonald of Alameda, Melick, Merrill, Meserve, Milice, O'Brien, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—41.

NOES—Messrs. Barry, Henry, and Kenneally—3.

Title read and approved.

Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, and the refusal of those last elected to con-

tinue in the discharge of duties of such offices until their successors are elected and qualified, and make provision for an election by the legally qualified electors of such incorporated cities to fill such offices; and to provide that the official acts of officers so provisionally appointed and processes served upon them shall be valid.

Read third time.

Mr. Valentine moved that Assembly Bill No. 839 be referred to a select committee of one, with instructions to amend as follows:

Amend by striking out all of the title after the words "An Act" in title, page 1, printed bill, and inserting in lieu thereof the following: "To prevent vacancies in offices of municipal corporations of the sixth class, incorporated prior to January first, eighteen hundred and sixty-four."

Also: Amend by striking out all of Section 1 after the words "Section 1," in Section 1, page 1, printed bill, and inserting in lieu thereof the following: "In corporations of the sixth class, incorporated prior to January first, eighteen hundred and sixty-four, any officer hereafter elected cannot resign, but must hold office until his successor is elected and qualified in accordance with the charter."

Also: Amend by striking out all of Section 2 after the words "Sec. 2," in Section 2, page 2, printed bill, and inserting in lieu thereof the following: "This Act shall take effect from and after its passage."

Also: Amend by striking out all of Section 3, Section 4, Section 5, and Section 6, on page 2, printed bill.

Motion carried, and it was so ordered.

Mr. Valentine was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, and the refusal of those last elected to continue in the discharge of duties of such offices until their successors are elected and qualified, and make provision for an election by the legally qualified electors of such incorporated cities to fill such offices; and to provide that the official acts of officers so provisionally appointed and processes served upon them shall be valid—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

VALENTINE, Committee.

Report adopted.

Assembly Bill No. 839 ordered to print, reëngrossment, and final passage.

At ten o'clock P. M., the Speaker resumed the chair.

Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

The question being on the final passage of the bill.

The roll was called, and the result disclosed no quorum present, as follows:

AYES—Messrs. Atherton, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cosper, Crowder, Dale, De Lencie, Dibble, Dunlap, Fairweather, Fehz, Glenn, Griffin, Johnson, Kelley, Le Baron, Mack, McDonald of Alameda, McKeen, Merrill, Milice, Rickard, Sanford, Valentine, Wardell, and Mr. Speaker—32.

NOES—Messrs. Barry and Meserve—2.

The Speaker ordered Assembly Bill No. 603 to the unfinished business file.

ADJOURNMENT.

At ten o'clock and ten minutes P. M., the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Monday, March 13, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 13, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cospo, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentz, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—75.

Quorum present.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Saturday's Journal, the further reading was dispensed with, on motion of Mr. Knowland.

The Journal of Friday, March 10, 1899, was read and approved.

Mr. Miller of Los Angeles moved that the vote whereby the Journal of February 22, 1899, was approved, be reconsidered.

So ordered.

Mr. Miller of Los Angeles moved that the Journal of February 22, 1899, be corrected by inserting after the report of select committee, on page 8, the following:

"Report adopted."

The Journal of February 22, 1899, as corrected, was approved.

LEAVE OF ABSENCE.

Mr. Meserve was granted leave of absence for three days, on motion of Mr. Cowan.

Messrs. Crowder and Stewart were granted leave of absence for the day.

PETITIONS.

Mr. Burnett presented a petition from S. P. Sitton and twenty-nine others, residents of Adelaide, San Luis Obispo County, petitioning the Legislature for relief for people in destitute circumstances.

Read, and ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 20—An Act to fix the fees of County Clerk—have had the

same under consideration, and respectfully report the same back, and recommend that it do pass.

RICKARD, Chairman pro tem.

Mr. Rickard moved that the rules be suspended and Assembly Bill No. 20 taken up and read second time.

So ordered.

Assembly Bill No. 20—An Act to fix the fees of County Clerk.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend title of said bill by striking out the whole thereof and inserting in lieu thereof the following: "An Act to establish the fees to be charged by County Clerks and County Recorders within the State of California."

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. County Clerks within the State of California shall charge the following fees:

"On the commencement of any civil action or special proceeding in the Superior Court of any county, or city and county, in the State (excepting a probate or guardianship proceeding, or for filing papers in an action or special proceeding transferred from another county other than papers of any of said excepted proceeding, to be paid by the party commencing such action or proceeding, or filing such papers on transfer from another county), five dollars; for filing papers on appeal, two dollars; for indexing each additional name over six, five cents.

"On filing petition for letters of administration, or administration with will annexed, for letters testamentary, or for appointment of a guardian (or on filing of papers on transfer of any probate or guardianship proceeding from another county), five dollars, *provided*, that at the time of filing the inventory and appraisement in any such proceeding there shall be paid the additional sum of one dollar for each additional thousand dollars or majority fraction thereof of the appraised valuation in excess of two thousand dollars

"Also: To be added in each of the above, except in an appeal from a Justice's Court, as provided in an 'Act entitled an Act to establish law libraries,' approved March thirty-first, eighteen hundred and ninety-one, the additional sum of one dollar.

"On filing petition to contest any will or codicil, or to revoke any letters of administration, testamentary, or of guardianship, three dollars

"On the appearance of a defendant or cross-complainant, or of more than one defendant or cross-complainant, or complainant in intervention, appearing together in any civil action, or special proceeding, in any Superior Court of this State (excepting in a probate or guardianship proceeding), and by respondent, upon filing the first paper on an appeal to said Superior Court, the sum of two dollars; and for every subsequent appearance by any defendant, or by more than one defendant appearing together in any such action or proceeding, other than said excepted proceeding, one dollar (payable upon filing the first paper filed by him or them in said action or proceeding).

"On placing any civil action or special proceeding (other than a probate or guardianship proceeding, or default case) on the trial calendar to be set for trial or hearing, to be paid but once and then by the party at whose request such action or proceeding is placed on the calendar, and at the time the same is placed thereon, including the entry of judgment, three dollars.

"For entry of default judgments by the Clerk or upon order of Court and for entry of judgment of dismissal by the Clerk, two dollars.

"For recording interlocutory decree, one dollar.

"The foregoing fees shall be in full for all services rendered by such Clerk in the cause, to and including the making up of the judgment roll.

"On the filing, registering, and docketing of an abstract of judgment rendered in the Justice's Court, two dollars, and for issuing an execution thereof, one dollar

"For issuing an execution, commission to take testimony, or order of sale in any action or proceeding, one dollar.

"On filing any notice of motion to move for a new trial of any civil action or proceeding, the party filing the same shall pay to the Clerk, in full for all services to be rendered in connection with said motion, two dollars.

"For filing notices of appeal and appeal bonds, each twenty-five cents

"For any copy of any record, proceeding, or paper on file in the office of the Clerk, when such copy is made by him, per folio, ten cents.

"For issuing any writ of possession or writ of assistance, one dollar.

"For the exemplification of any record of any action or proceeding (not including the charges allowed for copying or comparing the same), one dollar.

"For examining and certifying to a copy of any paper, record, or proceeding, prepared by another, and presented for his certificate, fifty cents, and three cents per folio for comparing the said copy with the original.

"For recording any judgment in excess of ten folios, five cents per folio additional.

"In all proceedings begun or acts performed prior to this Act becoming a law, such fees and charges as were provided by law at the time such proceedings were begun or acts performed

"The Clerk shall also collect and charge the following fees and compensation, not above provided for:

"For each certificate of the Clerk, under seal of the Court (other than Clerk's certificate to dismiss appeal), fifty cents.

"For mailing each notice in insolvency proceedings, ten cents.

"For services rendered by the Clerk, not in connection with civil actions or proceedings in court, he shall charge and collect for the benefit of the county, the following fees:

"For issuing marriage license, including affidavit (one dollar of which is to be paid to the County Recorder), two dollars and fifty cents.

"For taking an affidavit, except in criminal cases and as otherwise herein excepted twenty-five cents.

"For filing and indexing articles of incorporation and certified copy thereof, issued at the same time, five dollars.

"For filing and indexing certificates of copartnership and certified copy thereof, issued at the same time, five dollars.

"For Clerk's certificate to dismiss appeal, when compiled by the Clerk, two dollars and fifty cents.

"For Clerk's certificate to dismiss appeal, when compiled by an attorney, one dollar.

"For recording and registering each medical, dental, or other certificate required by law, one dollar.

"For filing and indexing all papers to be kept by him, other than papers filed in actions or proceedings in court, and except such papers and documents as are herein-after exempt from charge, twenty-five cents.

"For filing satisfaction of, or credit on judgment, or the docketing of deficiency judgment, upon return of order of sale, twenty-five cents.

"For receiving and filing remittitur and accompanying papers from the Supreme Court, fifty cents

"For filing bond, issuing certificate, and qualifying of a notary public, one dollar.

"For taking and approving each undertaking, and the justification thereof, except in criminal cases, fifty cents.

"For searching files, or records kept by such clerk, for each year, fifty cents.

"For taking acknowledgment of any deed or other instrument, including certificate, fifty cents for the first name, and twenty-five cents for each additional name.

"For making transcript of docket, with certificate certifying to same, fifty cents; for each additional judgment debtor thereon, ten cents.

"The Clerk shall collect, for the benefit of the county, the sum of one dollar and fifty cents for a certificate of declaration to become a citizen of the United States, or for making a record thereof, or for issuing a certificate of citizenship, or making a record thereof.

"No fees or other compensation shall be paid for services rendered in any criminal case, or in an affidavit or application relating to the securing of a pension, for swearing to a pension voucher, or matters relating thereto, nor for filing or swearing to any demand or claim against any county in this State, nor against the State, nor for administering oaths as Clerk of the Board of Supervisors in matters pending before such board, nor for filing and indexing Coroner's inquisitions of deceased persons, nor for filing the report of any county officer or officers, nor in any proceedings relating to the examination or commitment of insane persons

"No fees or other compensation shall be paid for filing the statement, vouchers, or affidavit of a committee, or candidate voted for at any public election held within this State, nor for filing certificate of nomination by any committee, or candidate to be voted for at any public election held within this State, nor for filing official bond or certificates of election or appointment of any public officer or deputy.

"For services rendered in application for government homesteads, including the necessary affidavits, two dollars

"For taking final proofs of settlers to homestead entry, including affidavits, five dollars

SEC. 2. County Recorders within the State of California shall charge the following fees:

"For recording every instrument, paper, or notice required by law to be recorded, per folio, fifteen cents; *provided*, that crop mortgages and notices of liens shall be recorded at the rate of ten cents per folio.

"For indexing every instrument, paper, or notice, for each name, ten cents.

"For filing every instrument for record and making the necessary entries thereon, twenty cents

"For each certificate under seal, twenty-five cents

"For every entry discharge, credit, or release on the margin of record, and indexing the same, fifty cents.

"For abstract of title, for each conveyance or incumbrance, thirty-five cents.

"For recording each map, or plat, where the same is copied in a book of record, for each course, fifteen cents.

"For recording each map, or plat, where the same is not copied in a book of record, one dollar.

"For figures or letters on maps, or plats, per folio, ten cents; *provided*, that the fee for recording any map shall not exceed seventy-five dollars.

"For taking acknowledgment of any instrument, fifty cents for the first name, and for each additional name, twenty-five cents.

"For recording marriage license and certificate, to be paid by the County Clerk, one dollar.

"For recording transcript, and all services in estray cases, one dollar.

"For recording each mark or brand, fifty cents.

"For administering each oath or affirmation, and certifying the same, twenty-five cents

"For filing, indexing, and keeping each paper not required by law to be recorded, twenty-five cents

"No fees or compensation shall be charged for recording statement of expense incurred by any candidate or committee who are by law required to file such statements.

"SEC. 3. The County Clerks and County Recorders shall account for all fees in this Act provided for, and, unless otherwise provided for by law, they shall pay the same to the County Treasurers of their respective counties on the first Monday of the month following the month wherein such fees were by them collected, as provided in this Act.

"SEC. 4. All Acts and parts of Acts in conflict with this Act are hereby repealed.

"SEC. 5. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 20 ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 73—An Act for the relief of district agricultural associations, and appropriating money therefor.

Also: Senate Bill No. 530—An Act to add a new section to the Penal Code of the State of California, to be known as Section 258, relating to libel.

Also: Assembly Bill No. 917—An Act to add a new section to the Code of Civil Procedure of the State of California, to be designated as Section 173, relating to the appointment of relatives by Judges.

Report the same back, and recommend that they do pass

JOHNSON, Chairman.

Mr. Johnson moved that the rules be suspended and that Senate Bills Nos. 73 and 530 be taken up and read second time.

So ordered.

Senate Bill No. 73—An Act for the relief of district agricultural associations, and appropriating money therefor.

Read second time, ordered to third reading, and made special order for Wednesday, March 15, 1899.

Senate Bill No. 530—An Act to add a new section to the Penal Code of the State of California, to be known as Section 258, relating to libel.

Read second time, ordered to third reading, and made special order for Wednesday, March 15, 1899.

Assembly Bill No. 917 ordered on second-reading file.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 524—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the districts and property owners therein—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman.

Mr. Milice moved that the rules be suspended, and that Senate Bill No. 524 be taken up and read second time.

So ordered.

Senate Bill No. 524—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property, in accordance with agreements between the creditors of the districts and property owners therein.

Read second time, and ordered to third reading.

INTRODUCTION OF BILLS.

Mr. Caminetti moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to define the boundary lines of the several counties, and cities and counties, of the State, and to define the duties of certain officers in relation thereto."

Referred to Committee on Introduction of Bills.

Also: "An Act to create a Joint Board of Trustees for the Whittier State School and the Preston School of Industry, to define its duties and powers, and to provide for the classification of inmates therein."

Referred to Committee on Introduction of Bills.

RESOLUTIONS.

By Mr. Melick:

Resolved, That after March 13, 1899, there shall not be any substitutions permitted on the printed files, except by one day's notice.

Referred to Committee on Rules and Regulations, with instructions to report to-day.

By Mr. Caminetti:

Resolved, That for and by reason of services rendered the Assembly by L. H. Drew, as fireman, from January 3 to February 3, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said L. H. Drew for the sum of \$90, the same being for thirty days' services at \$3 per day, being the same rate paid all other firemen, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That the History Clerk be and he is directed to make an index to the Daily History of the condition and position of all Assembly bills passed by the Senate and Assembly and presented to the Governor.

Read, and referred to Committee on Rules and Regulations.

SPECIAL ORDERS.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with

this Act," approved March 31, 1897, relating to the classification of counties into agricultural districts.

Passed on file.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed.

Passed on file.

Consideration of Governor's veto to Assembly Bill No. 5, made special order for Monday, March 13, 1899.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Mr. Johnson moved that the matter be laid over until Thursday.

So ordered.

Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Blood, Brown, Burnett, Caminetti, Clark, Cobb, Cowan, Crowley, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Jilson, Kelsey, Kenneally, Knowland, La Barea, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Milce, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Works—42.

NOES—Messrs. Atherton, Boone, Cargill, Chynoweth, Clough, Cosper, Dale, De Lancie, Feliz, Johnson, Knights, Le Baron, Lardner, Marvin, Melick, Merritt, Miller of Los Angeles, Robinson, Sanford, Wade, and Mr. Speaker—21.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 728 was this day passed.

Assembly Bill No. 729—An Act authorizing the appropriation of moneys by the several counties, cities and counties, and municipal corporations for the purpose of advancing and maintaining their respective interests by exhibit of products, and otherwise, at the Pacific Ocean and International Exposition.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Brown, Burnett, Caminetti, Cargill, Cobb, Cowan, Crowley, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Jilson, Johnson, Kelsey, Kenneally, Knowland, La Barea, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen,

Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wardell, White, Works, and Mr. Speaker—49.

NOES—Messrs. Boone, Chynoweth, Clough, Conrey, Cosper, Dale, De Lancie, Lardner, and Wade—9.

Title read and approved.

NOTICES OF RECONSIDERATION.

Mr. Johnson gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 729 was this day finally passed.

Mr. Feliz gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 729 was this day finally passed.

MOTION.

Mr. Belshaw moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to amend Section 183 of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897."

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom were referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The numbers of said bills are as follows: Assembly Bills Nos. 1005, 1006, 1007, and 1008, and said bills are cases of urgency.

COBB, Chairman.

Mr. Cobb moved that the constitutional provision be suspended for the purpose of permitting Mr. Belshaw, Mr. Radcliff, and Mr. Caminetti to introduce bills.

The roll was called, and constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boone, Brown, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Jilson, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—54.

NOES—None.

INTRODUCTION OF BILLS.

By Mr. Belshaw: Assembly Bill No. 1005—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time.

By Mr. Radcliff: Assembly Bill No. 1006—An Act to create a Department of Public Works, to define the powers and duties thereof and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof.

Read first time.

By Mr. Caminetti: Assembly Bill No. 1007—An Act to define the

boundary line of the several counties, and cities and counties of the State, and to define the powers and duties of certain officers in relation thereto.

Read first time.

Also: Assembly Bill No. 1008—An Act to create a joint Board of Trustees for the Whittier State School and the Preston School of Industry, to define its duties and powers, and to provide for the classification of the inmates therein.

Read first time.

MOTIONS.

Mr. Belshaw moved that Assembly Bills Nos. 1005, 1006, 1007, and 1008 be made special order for to-morrow, without reference to committee.

Mr. Melick moved to add to list of bills Assembly Bill No. 383.

Amendment accepted by mover.

Motion, as amended, carried.

Mr. Merrill moved that Assembly Joint Resolution No. 21 be made special order for to-morrow.

Mr. Wardell moved to amend by including Assembly Bill No. 591.

Mr. Dibble moved to lay the amendment on the table.

Motion carried, and so ordered.

Motion to make Assembly Joint Resolution No. 21 special order lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Johnson:

WHEREAS, Death has taken from our friend and brother member, Hon. F. P. Meserve, his loved and loving wife, who for many years had been his companion and helpmeet in the pleasures, labors, and sorrows of life; therefore, be it

Resolved, That we hereby extend to Hon. F. P. Meserve our heartfelt sympathies in this his great bereavement.

Resolution adopted.

MOTION.

Mr. Belshaw moved that the Printer print, out of order, Assembly Bills Nos. 1005, 1006, 1007, and 1008.

So ordered.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 13, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—35.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Burec, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—76.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Saturday, March 11, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Saturday, March 11, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Currier, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For James D. Phelan—Senator Hall—1.

For T. J. Geary—Senators Ashe, Curtin, Dwyer, La Rue, Pace, Prisk, and Sims—7.

For F. H. Gould—Senators Braunhart, Chapman, and Doty—3.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received	7 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr. received	7 votes.
Irving M. Scott received	3 votes.
James D. Phelan received	1 vote.
T. J. Geary received	7 votes.
F. H. Gould received	3 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Robinson, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—18.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—20.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Bree—3.

For Marion De Vries—Mr. Brooke—1.

For T. J. Geary—Messrs. Cowan, Fairweather, Griffin, Hanley, Mack, Mead, Sanford, E. D. Sullivan, and Wardell—9.

For F. H. Gould—Messrs. Boone, Caminetti, and Glenn—3.

For James D. Phelan—Mr. Hoey—1.

For John Rosenfeld—Mr. Crowley—1.

For James G. Maguire—Mr. Feliz—1.

For Stephen M. White—Messrs. Stewart and White—2.

For James F. Smith—Mr. O'Brien—1.

Whole number of votes cast by Assemblymen	75
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	18 votes.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	3 votes.
Marion De Vries received	1 vote.
T. J. Geary received	9 votes.
F. H. Gould received	3 votes.
James D. Phelan received	1 vote.
John Rosenfeld received	1 vote.
James G. Maguire received	1 vote.
Stephen M. White received	2 votes.
James F. Smith received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	110
Necessary to a choice	56
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	25 votes.
U. S. Grant, Jr., received	27 votes.
Irving M. Scott received	6 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	2 votes.
James D. Phelan received	2 votes.
T. J. Geary received	16 votes.
Frank H. Gould received	6 votes.
James G. Maguire received	1 vote.
James F. Smith received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-six minutes P. M., Assemblyman Dibble moved to adjourn until Tuesday, March 14, 1899, at twelve o'clock M.

• Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Tuesday, March 14, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-seven minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

SENATE SPECIAL FILE.

Senate Bill No. 461 (Substituted for Assembly Bill No. 674)—An Act authorizing the Governor and Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Read third time.

Mr. Cosper moved to refer Senate Bill No. 461 to a select committee of one, with instructions to amend the same as follows:

Add to Section 2 as follows: "*provided*, that no money shall be expended under the provisions of this Act until a judgment shall have been obtained condemning, for the uses and purposes of the State, the said land described in Section 1 of this Act, under and in accordance with the provisions of Sections 1237 to 1263 (both inclusive) of the Code of Civil Procedure, relating to eminent domain."

The ayes and noes on the amendment were demanded by Messrs. Johnson, Cosper, and E. D. Sullivan.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Brooke, Burnett, Chynoweth, Clough, Cosper, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Huber, Johnson, Miller of Los Angeles, Muentner, Raw, Robinson, Wade, and Mr. Speaker—22.

NOES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brown, Cargill, Clark, Cobb, Cowan, Hanley, Kelley, Kenneally, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milice, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Wardell, White, and Works—34.

Mr. Mead moved that Mr. Valentine be given three minutes to explain the bill.

So ordered.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Cargill, Cosper, Cowan, Devoto, Dunlap, Feliz, Greenwell, Hanley, Henry, Kelley, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, and Works—47.

NOES—Messrs. Brooke, Clough, Dale, Fairweather, Glenn, Griffin, Johnson, Lardner, Miller of Los Angeles, Muentner, Raw, Robinson, and Mr. Speaker—13.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Cosper gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 461 was this day finally passed.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 463, 550, 937, and 889.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for the advertising of the constitutional amendments, and to make appropriation therefor.

Assembly Bill No. 550—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Assembly Bill No. 937—An Act to amend Sections 1637 and 1638 of Part III, Chapter III, Title III of the Political Code, relating to the school law of California.

Assembly Bill No. 889—An Act making transfer checks or tickets issued to a passenger on any street cars operated in any city and county in this State transferable, and conferring on the transferee thereof all the rights and privileges of the original holder, and providing a punishment for a violation thereof.

RICKARD, Chairman.

Assembly Bills Nos. 463, 550, 937, and 889 ordered to third reading.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 383, 567, and 828.

Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½.

Assembly Bill No. 567—An Act to provide for the formation of new counties, and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new formed counties and the counties or county from which they are formed.

Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

RICKARD, Chairman

Assembly Bills Nos. 383, 567, and 828 ordered on file for final passage.

MOTIONS.

Mr. Dibble moved that the free conference report on Senate Bill No. 54 be now considered.

So ordered.

Mr. Caminetti moved that Senate Bill No. 54, amended in free conference, ordered to print and printed after the report of free conference committee, as shown by the Journal of March 9, be now put upon final passage.

Motion carried.

Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension, by the Board of State Harbor Commissioners, of the seawall and thoroughfare of the Harbor of San Francisco, on the waterfront of the City and County of San Francisco; to create a sinking fund for the payment of said bonds and the interest thereon; and to provide for the submission of this Act to a vote of the people.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Cobb, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kennecally, Knights, Knowland, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda,

McKeen, Mead, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—55.
NOES—Messrs Cosper and Robinson—2.

Title read and approved.

Mr. Mead moved that Assembly Bill No. 660 be taken up for the consideration of Senate amendments.

So ordered.

Assembly Bill No. 660—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations, and other similar corporations.

Mr. Mead moved that the Assembly concur in the following Senate amendments:

Amend by striking out of Section 2, line 67, the word "ten" and inserting the word "two," and after the words "per cent" insert the words "per month."

Also: Amend by striking out, commencing with the word "for" in line 32, page 6, and all thereafter down to and including the word "credits," in line 34, said page 6.

Also: Amend Section 6 by adding after the word "year," in line 24, page 8, the following: "*and provided*, that such premium shall in no instance exceed twenty-five per cent of the amount of stock or shares, or monthly payments on loan held or made by or to any one member."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Bliss, Blood, Brooke, Brown, Burnett, Cargill, Cobb, Cosper, Cowan, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Rickard, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—50
NOES—None.

Assembly Bill No. 660 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That Mrs. A. B. Campbell be and hereby is appointed Assistant Janitress of the ladies' cloakroom, at a per diem of \$3, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Cowan, Dale, De Lancie, Dibble, Dunlap, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—58.
NOES—None

MOTION.

Mr. Rickard moved that the Assembly do now take up Assembly Bill No. 22 for the purpose of considering Senate amendments.

So ordered.

Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon.

Mr. Rickard moved that the Assembly do now concur in the following Senate amendment:

SUBSTITUTE FOR ASSEMBLY BILL NO. 22.

An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to sell or traffic in or refill any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section is hereby added to the Penal Code, next after section three hundred and fifty-four, and included in chapter twelve, title nine, part one, and designated as section three hundred and fifty-four and one half, to read as follows:

Section 354½. Every person who willfully traffics in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon, or refills any such cask, keg, bottle, vessel, siphon, can, case, or other package with intent to defraud the owner thereof, without the consent of the owner thereof, or unless the same shall have been purchased from the owner thereof, is guilty of a misdemeanor.

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Bliss, Boynton, Brooke, Caminetti, Cargill, Chynoweth, Clark, Cobb, Crowley, Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Raub, Rickard, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—46.

NOES—Mr. Clough—1.

Assembly Bill No. 22 ordered to enrollment.

SPECIAL ORDER.

Mr. Dunlap called up Senate Bill No. 205, being a special order of the day.

So ordered.

Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Cowan, Dale, Dibble, Dunlap, Feliz, Glenn, Greenwell, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—44.

NOES—None.

Title read and approved.

MOTION.

Mr. Sullivan moved to call up Assembly Bill No. 690 for the purpose of considering Senate amendments.

So ordered.

Assembly Bill No. 690 (Substitute for Assembly Bills Nos. 350 and 290)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Mr. Sullivan moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 4, line 3, the word "mantence," and inserting the word "maintenance."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Bliss, Boynton, Brooke, Brown, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cowan, Crowley, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of Los Angeles, O'Brien, Raub, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—44.

NOES—Mr. White—1.

Assembly Bill No. 690 ordered to enrollment.

RECONSIDERATION.

In compliance with his notice given on last legislative day, Mr. Works moved a reconsideration of the vote whereby Assembly Bill No. 628 was lost.

Mr. Valentine moved to postpone motion to reconsider until eight o'clock to-night.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Bliss, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Milice, Miller of San Francisco, Muenster, O'Brien, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—57.

NOES—Messrs. Chynoweth, Clough, Jilson, Lardner, and Miller of Los Angeles—5.

Title read and approved.

SPECIAL ORDER.

Mr. Atherton moved that the Assembly do now take up for consideration Senate Bill No. 732.

So ordered.

Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of

this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read second time.

Mr. Atherton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 732.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 732 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the whole of the title after the words "An Act," down to the enacting clause, and inserting in lieu thereof the following: "To provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition and as to the health of stock, to prevent the sale of milk, and the products of milk, drawn from diseased animals; to prevent the spread of infectious and contagious diseases common to stock, and appropriate money therefor."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting a comma after the word "stock" in line 7 of Section 1, page 1, printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting a comma after the word "hogs" in line 9, Section 2, page 2, printed bill.

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the word "thereto" in line 10, Section 2, page 2, printed bill, and inserting in lieu thereof the following: "to such dairies and creameries."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the period after the word "case," in line 16, Section 2, page 2, printed bill, and inserting in lieu thereof a comma, followed by the words "and he shall forthwith act upon such report."

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting before the word "entered," in line 11, Section 3, page 2, printed bill, the following: "and such appointment shall be."

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out the word "last," in line 3, Section 4, page 2, printed bill, and inserting in lieu thereof the word "fifth."

Amendment adopted.

AMENDMENT No. 8.

Amend by inserting after the word "days," in line 4, Section 4, page 2, printed bill, the words "they were."

Amendment adopted.

AMENDMENT No. 9.

Amend by inserting the word "preceding" before the word "month," in line 5, Section 4, page 2, printed bill.

Amendment adopted.

AMENDMENT No. 10.

Amend by inserting after the word "shall" the words "for the purpose of this Act," in line 2, Section 5, page 3, printed bill.

Amendment adopted.

AMENDMENT No. 11.

Amend by striking out the words "for the benefit of the public health," in lines 3 and 4, Section 5, page 3, printed bill.

Amendment adopted.

AMENDMENT No. 12.

Amend by striking out the word "sixty," in line 12, Section 6, page 3, printed bill, and inserting in lieu thereof the word "thirty."

Amendment adopted.

AMENDMENT No. 13.

Amend by striking out the word "deemed," in line 8, Section 10, page 4, printed bill.

Amendment adopted.

AMENDMENT No. 14.

Amend by inserting the word "dollars," after the word "thousand," in line 4, Section 13, page 5, printed bill.

Amendment adopted.

Senate Bill No. 732 ordered to printer and third reading, and, on motion of Mr. Atherton, made special order for next Wednesday.

MOTION.

Mr. Knowland moved to take up for consideration at this time Assembly Bill No. 292.

So ordered.

Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

CONSIDERATION OF SENATE AMENDMENT.

Mr. Knowland moved that the Assembly do now concur in the following Senate amendment:

Amend by adding to Section 1 the following: "When property has been sold to the State on an illegal assessment, the party aggrieved, or his successor in interest, may, with the consent of the Attorney-General, bring an action against the State of California to set aside such sale and illegal assessment."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Caminetti, Chynoweth, Cobb, Conrey, Cosper, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Sanford, E. D. Sullivan, Wardell, Works, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 292 ordered to enrollment.

SENATE SPECIAL FILE—(RESUMED).

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Temporarily passed on file.

Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

Read third time.

Mr. Dunlap moved that a select committee of one be appointed to amend Senate Bill No. 53 as follows:

Amend by striking out the word "superintendent," in line 50, page 4, printed bill, and inserting in lieu thereof the word "principal."

Also: Amend by striking out all of Section 1675, beginning with the word "in" after the word "thereof," in line 7, Section 4, page 5, printed bill.

The ayes and noes were demanded by Messrs. Dibble, Dunlap, and Belshaw.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Boynton, Burnett, Cargill, Chynoweth, Cobb, Cowan, Crowley, Dale, Dunlap, Fairweather, Griffin, Hanley, Henry, Hoey, Huber, Kelley, Kelsey, Kennally, Knights, Le Baron, Lundquist, Mack, McKeen, Merrill, Milice, Miller of San Francisco, Muentner, Pierce, Raub, Robinson, Sanford, Valentine, Wade, White, and Mr. Speaker—38.

NOES—Messrs. Brooke, Brown, Caminetti, Conrey, Cosper, De Lancie, Devoto, Feliz, Glenn, Greenwell, Jilson, Lardner, McDonald of Tuolumne, Melick, Merritt, Miller of Los Angeles, O'Brien, Radcliff, Rickard, Eugene Sullivan, and Works—21.

Mr. Dunlap was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens—with instructions to amend, now reports that the instructions of the Assembly have been carried out

DUNLAP, Committee.

Report adopted.

Senate Bill No. 53 ordered to print and final passage.

On motion of Mr. Dunlap, Senate Bill No. 53 was made special order for Wednesday, March 15, 1899.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 949—An Act to provide for the exportation of non-citizen inmates of the State hospitals for the insane, and making an appropriation therefor.

Also: Assembly Bill No. 786—An Act making an appropriation to pay the expenses of receiving the First Regiment of California Volunteers upon their return from the Philippine Islands.

Also: Assembly Bill No. 679—An Act making an appropriation to pay expenses incurred at the State Forestry Station, at Chico, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VALENTINE, Chairman.

Assembly Bills Nos. 949, 786 and 679 ordered on second-reading file.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 411 and 988.

Assembly Bill No. 411—An Act authorizing the Secretary of State to furnish his office and vault connected therewith, and making an appropriation therefor.

Assembly Bill No. 988—An Act to authorize and permit the use of the Great Seal of the State of California, and such other appropriate design pertaining to said State, by the order of the Native Sons of the Golden West, a patriotic order, created and existing under the laws of the State of California, in the making of medals to be presented by and under the auspices of said order, to the officers and members of the United States volunteer troops from California who have been in active service in the late war with Spain.

And were presented to the Governor March 13, 1899, at three o'clock and forty minutes P. M.

RICKARD, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 445, 446, 571, and 572 as below:

Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No. 446—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No. 571—An Act to create the office of Field Deputy in Assessor's office in counties of the fifth class.

Assembly Bill No. 572—An Act to create the office of Chief Deputy Assessor in counties of the fifth class.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 289—An Act to amend Section 25 of "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the powers of Boards of Supervisors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HUBER, Chairman.

Assembly Bills Nos. 445, 446, 571, and 572 ordered on second-reading file.

Mr. Valentine moved that Assembly Bill No. 289 be taken up at this time and given second reading.

So ordered.

Assembly Bill No. 289—An Act to amend Section 25 of "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the powers of Boards of Supervisors.

Read second time.

Mr. Melick moved that Assembly Bill No. 289 be resubmitted to Committee on County and Township Governments.

Mr. Dibble moved to amend and instruct the committee to report back the bill to-morrow.

Amendment adopted.

The motion, as amended, carried.

ON MILITARY AFFAIRS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 884—An Act to provide a suitable medal for the members of the California Vol-

unteers who entered the Spanish-American War of 1898, upon their reenlisting in the National Guard of the State of California, and making appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means.

HENRY, Chairman.

Assembly Bill No. 884 referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 349—An Act to amend Sections 1912, 1914, 1917, 1920, 1922, 1931, 1936, 1939, 1940, 1941, 1943, 1951, 1952, 1954, 1955, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1990, 1991, 1992, 1993, 2003, 2004, 2006, 2007, 2008, 2009, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, and 2037; to repeal Sections 1918, 1923, 1927, 1929, 1937, 1938, 1969, and 2003, as approved April 1, 1897; 2054, 2055, 2056, 2057, 2058, 2064, 2065, 2066, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2094, 2099, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, and 2117, and to add new sections, to be known and numbered as Sections 1959a, 1967a, 1978, 1987, 1988, 1989, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2005, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2033, 2034, 2035, 2036, 2037, 2038, 2038a, 2069, 2070, and 2071, and all of and to the Political Code of the State of California, relating to the National Guard—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman.

Senate Bill No. 349 ordered on Senate special file.

ON RULES AND REGULATIONS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations report the following special rule under the provisions of Standing Rule LXVI for the consideration of business on the files:

"That all constitutional amendments on the file, both Assembly and Senate, be made a special order of the day for Tuesday, March 14, 1899, and that said amendments be then taken up and disposed of."

DIBBLE, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, having had under consideration the resolution offered by Mr. Melick, providing that after the 13th inst. there should not be any substitution permitted on the printed files, except by one day's notice, now report the same back, with a recommendation that it be not adopted.

Your committee are of the opinion that if such resolution had been offered at the beginning of the session there would not have been objection to it; but inasmuch as many members have availed themselves of the privilege of substituting one bill for another on the files, it would not be fair to other members, who have not availed themselves of such privilege, to change the practice at this time.

Your committee have also had under consideration the resolution offered by Mr. Cowan, providing that the History Clerk be directed to make an index to the Daily History of the condition and position of all Assembly Bills passed by the Senate and Assembly and presented to the Governor, and report the same back, with the recommendation that the same be not adopted.

Your committee are of the opinion that the Assembly History itself is sufficient index to the condition of every bill in the Assembly.

DIBBLE, Chairman.

Ordered printed in Journal, and to lay over until to-morrow.

RECESS.

At five o'clock and twenty-five minutes P. M., on motion of Mr. Hoey, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

SPECIAL URGENCY FILE.

Mr. Cowan moved that the Speaker keep and enforce time regulation on this file this evening.

So ordered.

Assembly Bill No. 469—An Act to amend Section 5 of an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Read third time.

The question being on the final passage of the bill.

Pending roll call, Mr. Belshaw moved a call of the House.

So ordered.

Pending roll call, Mr. Dibble moved that further proceedings under call of the House be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and Assembly Bill No. 469 passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Dale, De Lancie, Dibble, Fairweather, Greenwell, Kelley, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Milce, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raw, Works, and Mr. Speaker—42

NOES—Messrs. Barry, Hoey, Merrill, and E. D. Sullivan—4.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly engrossed: Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 228 of said Act, relating to and providing for county charges.

RICKARD, Chairman.

Assembly Bill No. 38 ordered to third reading.

MOTION TO RECONSIDER CONTINUED.

Mr. Johnson gave notice that on Monday, March 13, 1899, he would move to reconsider the vote whereby Senate Bill No. 63 was refused passage.

Mr. Johnson moved to reconsider the vote whereby Senate Bill No. 63 was refused final passage, and further moved to continue the motion to reconsider till next legislative day.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890.

Read third time.

Mr. Cosper moved that a select committee of one be appointed to amend Assembly Bill No. 681 as follows:

Insert at the end of the title the word "one."

Also: After the word "ninety" in line 3, Section 1, printed bill, the word "one."

Also: In line 3, Section 1, printed bill, change the figure "0" to the figure "1."

Motion carried, and it was so ordered.

Mr. Cosper was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1891—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COSPER, Committee

Report adopted.

Assembly Bill No. 681 ordered to print, reengrossment, and final passage.

Assembly Bill No. 469—An Act to amend Section 5 of an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Passed on file.

At eight o'clock and thirty minutes P. M., the Speaker called Speaker pro tem. Dunlap to the chair.

SUBSTITUTION OF BILLS.

Mr. Fairweather moved to substitute Assembly Bill No. 629 for Assembly Bill No. 675 on file.

So ordered.

Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines.

Read third time.

Mr. Cowan moved that a select committee of one be appointed to amend Assembly Bill No. 629 as follows:

Strike out all after the word "line," in line 5, and insert instead thereof the following: "is guilty of a misdemeanor."

Motion carried, and it was so ordered.

Mr. Cowan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COWAN, Committee

Report adopted.

Assembly Bill No. 629 ordered to print, engrossment, and final passage.

MOTION TO RECONSIDER.

Mr. Henry moved to reconsider the vote whereby Assembly Bill No. 15 was on last legislative day refused final passage, and further moved to continue the matter until next legislative day.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 372—An Act to amend an Act relating to commitments to the State School at Whittier and to the Preston School of Industry; fixing the authority to examine and commit to such schools with the Superior Judges of the counties, and fixing the responsibilities from which commitments are made to the State for maintenance of the persons committed therefrom; providing for the manner of payment thereof, and fixing the responsibility of the parents to the county from which their children are committed, approved March 26, 1895.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lantie, Dunlap, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Raw, Rickard, Stewart, Valentine, Wade, White, Works, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 28 of said Act, relating to and providing for county charges.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Cargill, Conrey, Cosper, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Works moved to reconsider the vote whereby Assembly Bill No. 628 was on last legislative day refused final passage.

Mr. E. D. Sullivan moved that the motion to reconsider be laid on the table.

Motion lost.

The question being on the motion to reconsider.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Brown, Burnett, Caminetti, Conrey, Cosper, Dale, Dunlap, Greenwell, Huber, Jilson, Kelsey, Knights, La Barea, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Raub, Sanford, Valentine, and Works—27.

NOES—Messrs. Barry, Blood, Boone, Cargill, Clough, Cobb, Crowley, Dibble, Feliz, Henry, Hoey, Kelley, Kenneally, Lardner, Lundquist, McKeen, Merrill, Miller of San Francisco, O'Brien, Pierce, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, White, and Wright—27.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Passed on file.

MOTION.

Mr. Burnett moved that Assembly Bill No. 567, special order for to-day, be continued a special order for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture as instructress and silk expert.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boone, Boynton, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, White, and Works—55.

NOES—Messrs. Dale, Melick, and Wade—3.

Title read and approved.

Assembly Bill No. 937—An Act to amend Sections 1637 and 1638 of Part III, Chapter III, Title III of the Political Code, relating to the school law of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Brown, Burnett, Caminetti, Clough, Cobb, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, E. D. Sullivan, Valentine, Wade, White, and Works—49.

NOES—None.

Title read and approved.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brown, Caminetti, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Miller of San Francisco, Pierce, Rickard, Stewart, E. D. Sullivan, Valentine, Works, and Wright—46.

NOES—None.

Title read and approved.

Mr. Belshaw moved to substitute Senate Bill No. 155 for Assembly Bill No. 67, and that Assembly Bill No. 67 be placed on Ways and Means file.

So ordered.

Senate Bill No. 155—An Act to amend Section 1772 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the powers of guardians in partition.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boone, Brown, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Dibble, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of Los Angeles, Pierce, Raub, Sanford, Stewart, Eugene Sullivan, Wade, Works, and Wright—49.

NOES—Mr. Dunlap—1.

Title read and approved.

MOTION.

Mr. Fairweather moved that the Assembly reconsider the vote whereby Assembly Bill No. 629 was this day amended, ordered to print and reëngrossment.

Motion carried, and so ordered.

Mr. Cowan was granted unanimous consent to withdraw his amendments.

Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Cosper, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Works—56.

NOES—None.

Title read and approved.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brown, Caminetti, Cargill, Cobb, Cowan, Crowley, Devoto, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lundquist, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Miller of San Francisco, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, White, Works, and Wright—45.

NOES—Messrs. Conrey, Cosper, Dale, and Lardner—4.

Mr. Hoey moved to amend the title as follows:

Strike out of the title the figures "\$150,000," and insert in lieu thereof the words "twenty thousand dollars."

Amendment adopted.

Title, as amended, approved.

At ten o'clock and ten minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 867—An Act adding a new section to the Penal

Code, to be known as Section 402, in relation to the running at large of hogs.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barry, Belshaw, Boone, Boynton, Brown, Caminetti, Cargill, Clough, Cosper, Cowan, Crowley, De Lancie, Dibble, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Melick, Merrill, Merritt, Milice, Raub, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—44.

NOES—Messrs. Atherton, Blood, Burnett, Conrey, Dale, Fairweather, Feliz, McDonald of Tuolumne, and Stewart—9.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. McDonald of Alameda gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 867 was this day finally passed.

MOTIONS.

Mr. Melick moved that the Assembly do now consider Assembly Bill No. 603.

So ordered.

Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Clough, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Hanley, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of San Francisco, Raub, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Mr. Knights moved that the Assembly do now consider messages from the Senate.

Motion lost.

Mr. Cowan moved that Senate Bill No. 210 (83 on file) be substituted for 128 on file.

So ordered.

Senate Bill No. 210—An Act to provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, by authorizing the Board of Trustees of the said California Home for the Care and Training of Feeble-Minded Children to acquire additional water sources and rights, to extend and perfect the present water system, to provide for water storage for fire emergency and other purposes, to appropriate money therefor, and to authorize the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Mulce, Miller of San Francisco, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, and Wright—53.

NOES—None.

Title read and approved.

Mr. Sanford moved to transpose on the file Assembly Bill No. 88 (122 on file) with Senate Bill No. 70 (80 on file).

So ordered.

Senate Bill No. 70—An Act to appropriate \$11,500 for the furnishing of the administration building and two male wards of the Mendocino State Hospital; for the purchase of an electric plant for lighting the hospital buildings and grounds, and the necessary machinery and appliances therefor, and to construct a building to contain the same; to purchase an ice plant and cold storage system, to make the necessary changes in attics to protect the hospital buildings against fire, to appropriate money therefor, and provide for the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Miller of San Francisco, Pierce, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. Wright moved that the Assembly do now consider messages from the Senate.

Motion carried, and it was so ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day denied Assembly Bill No. 34—An Act for the relief of William C. Guirey, and to appropriate money therefor—a second reading.

Also: Denied Assembly Bill No. 870—An Act to amend Section 676 of the Political Code, relating to the counting of money in the State Treasury, and making the breaking, or any interference with, any seal affixed on any safe or inner vault in the vault of the State Treasury a felony—a third reading.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 284—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 284—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 654—An Act to appropriate the sum of \$150 to pay the

claim of the Downey Champion, for money due and owing the said Downey Champion from the State of California.

Also: Senate Bill No. 450—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 450—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 654—An Act making an appropriation to pay the claim of the Downey Champion, for advertising constitutional amendments.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 9, 1899, adopted the report of the committee of free conference on Assembly Bill No. 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act—whereby the Senate receded from its amendments to said bill.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 118 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 367—An Act to amend Section 3617 of the Political Code of the State of California, relating to revenue, the assessment of property, and definition of terms in relation thereto.

Also: Assembly Bill No. 37—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 367—An Act to amend Section 3617 of the Political Code of the State of California, relating to revenue, the assessment of property, and definition of terms in relation thereto.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 37 ordered to enrollment.

MOTION.

Mr. Feliz moved to reconsider the vote whereby Senate Bill No. 442 was finally passed, and further moved to postpone the matter until next legislative day.

So ordered.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 13, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Also: Assembly Bill No. 509—An Act providing for the maintenance of a residence for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, repairs, and renewal of the furnishings of

said residence, and providing for the number and the salaries of the necessary employés and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Also: Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

And respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Mr. Johnson moved that the Assembly do now concur in the Senate amendments to Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Amend Section 5 as follows: In line 26, Section 5, page 2, printed bill, strike out the words "in the State of California."

Also: Strike out the word "or," in line 28, Section 5, page 2, and all thereafter down to and including the word "years," in line 30, page 2, and insert in lieu thereof the following: "or can furnish to said Board of Examiners satisfactory evidence that he has been a practitioner of dentistry for at least five years."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 138 by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—50

NOES—None.

Assembly Bill No. 138 ordered to print, reengrossment, and enrollment.

Assembly Bill No. 509—An Act providing for the maintenance of a residence for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said residence, and providing for the number and salaries of the necessary employés and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Mr. Knights moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 509:

Amend by striking out after the figures "1899" the whole of the section, namely, lines 8 to 20, inclusive, Section 1, and inserting in lieu thereof the following: "The State Controller and the State Treasurer shall transfer from the General Fund into a fund which shall hereafter be known and designated as the Governor's Residence Fund, the sum of five thousand dollars, which fund shall be drawn upon by the Governor of the State of California for maintenance, salaries of necessary employés and servants, to be selected and employed by the Governor, to properly maintain and conduct said Governor's residence; *provided*, that the aggregate amount of the salaries of said employés, servants, and maintenance shall not exceed the sum of twenty-five hundred dollars per year; and the several items of appropriation necessary therefor shall thereafter be carried in the General Appropriation Bill, as are the items of appropriation for the maintenance of other State property."

Also: Amend by striking out Sections 2, 3, and 4.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 509 by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Feliz, Hanley, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Milce, Miller of San Francisco, Pierce, Raub, Raw, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—46.
NOES—Mr. Huber—1.

Assembly Bill No. 509 ordered to print, reëngrossment, and enrollment.

Mr. Knowland moved that the Assembly do non-concur in Senate amendments to Assembly Bill No. 847, and a committee of conference be appointed, and that the Senate be requested to appoint a similar committee.

Motion carried.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed as such committee of conference Messrs. Knowland, McDonald of Alameda, and Kelsey.

SENATE SPECIAL FILE—(RESUMED).

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897.

Read second time.

Mr. Caminetti moved to amend as follows:

By striking out all after the words “An Act,” in line 1 of the title thereof, and adding in lieu thereof the following words:

“To amend Sections 188, 189, and 190 of an Act entitled ‘An Act to establish a uniform system of county and township governments,’ approved April 1, 1897, relating to the compensation of official reporters of the Superior Court; and in Section 189, relating also to the fees of Justices of the Peace and Constables’

“*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

“SEC. 188. In counties of the thirty-first class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

“1. The County Clerk, one thousand five hundred dollars per annum.

“2. The Sheriff, three thousand five hundred dollars per annum, and a jailer at fifty dollars per month, to be paid out of the County Treasury.

“3. The Recorder, one thousand five hundred dollars per annum.

“4. The Auditor, one thousand dollars per annum.

“5. The Treasurer, one thousand two hundred dollars.

“6. The Tax Collector, twelve hundred dollars per annum, and a deputy at four dollars per day for not more than one hundred days in any one year, to be paid out of the County Treasury; *provided*, that he may appoint deputies for the collection of licenses whose compensation shall not exceed ten per cent of the amount collected

“7. The Assessor, two thousand dollars per annum, and two deputies at a salary of five dollars per day for not more than one hundred days in any one year, to be paid out of the County Treasury.

“8. The District Attorney, one thousand four hundred dollars per annum, and twenty-five dollars for every conviction in any court, not exceeding five hundred dollars in any one year.

“9. The Coroner, such fees as are now or may be hereafter allowed by law.

“10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

“11. The Superintendent of Schools, one thousand dollars per annum, and actual traveling expenses when visiting the schools of his county.

“12. The Surveyor, such fees as are now or may be hereafter allowed by law; *provided*, he shall be given all work for the county in which the county employs one surveyor or civil engineer

“13. The Justices of the Peace shall receive, for their own use and benefit, the following fees, to wit: For filing each paper in civil actions, twenty-five cents. For issuing

every writ or process by which suit is commenced, one dollar. For entering each suit on the docket, fifty cents. For issuing subpoenas for one or more witnesses, twenty-five cents. For administering oath or affirmation, twenty-five cents. For certifying to the same, twenty-five cents. For issuing writ of attachment for arrest, or for delivery of property, one dollar. For entering every final judgment, for the first folio, one dollar, for every subsequent folio, twenty-five cents. For entering any motion, rule, or order, twenty-five cents. For swearing a jury in either criminal or civil actions, fifty cents. For issuing an execution, fifty cents. For issuing supersedeas on an execution, fifty cents. For entering satisfaction of judgment, fifty cents. For issuing search warrants, to be paid for by the party demanding the same, one dollar. For issuing commission to take testimony, one dollar.

"For taking and approving any bond or undertaking directed by law to be taken or approved by him, fifty cents. For taking justification on bond, one dollar. For each day's service in civil cases, three dollars. For each day's service in criminal cases, either on trials, preliminary examinations, or hearings, three dollars. For abstract of judgment, one dollar. For copy of judgment, order, proceeding, or paper in his office, for each folio, twenty cents. For taking depositions in either civil or criminal cases, per folio, twenty cents. For each certificate, fifty cents. For making up and transmitting transcripts and papers on appeal, two dollars. All fees, including constable fees, must be paid before the Justice shall be compelled to forward any papers on appeal. In all cases where the venue shall be changed, the Justice before whom the action shall be brought, for all services rendered, including the making up and transmitting of the transcript and papers, shall receive three dollars, which shall be paid before the papers are transmitted, and the Justice before whom the trial shall take place shall receive the same fees as if the action had been commenced before him. For taking an acknowledgment to any instrument, for the first name, fifty cents, for each additional name, twenty-five cents. For all services connected with the posting of estrays, including the transcript for the Recorder, three dollars. For celebrating marriage and returning certificate to Recorder, five dollars. For hearing and accepting a complaint in criminal actions, two dollars. For issuing a warrant of arrest, two dollars. For taking bail after a commitment, two dollars.

"14 Constables shall receive, for their own use and benefit, the following fees, to wit: In civil cases the same fees that are allowed to the Sheriff for like services. In criminal cases he shall receive for making every arrest, two dollars. For serving subpoenas on witnesses in criminal cases he shall receive twenty-five cents for each witness. For summoning a jury, two dollars and fifty cents. For every mile necessarily traveled in going only in executing a warrant of arrest, in serving a subpoena, taking a person before a magistrate or to prison, and for traveling in the performance of all other duties in criminal cases (*provided*, that in serving any process or in traveling to perform any other duty, two or more duties or service are required to be made or performed in the same matters, at the same time and in the same direction, only one mileage shall be charged and that to the most distant point), for each mile necessarily traveled, twenty-five cents.

"15. Each Supervisor, six hundred dollars, and twenty cents per mile traveling to county seat, which shall be in full compensation for all services, both as Supervisor and Road Commissioner; *provided*, that in case the said Supervisors shall not serve as Road Commissioners, then the salary for Supervisor shall be four hundred dollars per annum.

"16 In counties of this class the official reporter of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said court, and for preliminary examinations in Justices' Courts and in examinations for commitment to the asylum for the insane, a monthly salary of one hundred dollars payable out of the County Treasury, at the same time and in the same manner as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of ten cents per folio for the original and five cents per folio for a copy, said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or when ordered by the Judge, by either party, or jointly by both parties, as the court may direct; *provided*, that if a reporter pro tempore shall be appointed by a Judge of the Superior Court under the provisions of section two hundred and seventy-one of the Code of Civil Procedure, he shall receive, as his compensation for his services for taking notes as herein provided, such sum as may be allowed by such Judge which sum shall be deducted from the salary of the official reporter, and for transcription of said notes the fees herein provided; *further provided*, that when transcription of said notes shall be ordered by the Judge in civil cases, the amount paid therefor by the prevailing party shall be taxed as costs in the case.

"Sec. 189 In counties of the thirty-second class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"1. The County Clerk, one thousand five hundred dollars per annum.

"2. The Sheriff, four thousand two hundred and fifty dollars per annum; *provided*, the Sheriff shall also receive, for his own use and benefit, his necessary expenses in all criminal cases, to be allowed as other county charges are allowed by law; and *provided further*, that the Sheriff shall also receive, for his own use and benefit, the mileage, fees,

and commission for all service of all papers whatsoever issued by any court of the State outside of his county.

"3. The Recorder, one thousand eight hundred dollars per annum.

"4. The Auditor, one thousand dollars per annum.

"5. The Treasurer, one thousand eight hundred dollars per annum.

"6. The Tax Collector, five hundred dollars per annum; *provided*, as license collector, he shall, in addition, be entitled to receive and retain for his own use and benefit, ten per centum on all licenses collected by him.

"7. The Assessor, one thousand eight hundred dollars per annum, and one deputy at not to exceed five dollars per day, for not more than one hundred and twenty-five days in any year, to be paid out of the County Treasury.

"8. The District Attorney, one thousand eight hundred dollars per annum; *provided*, he may charge and receive for his own use necessary expenses for traveling on county and public business, to be allowed as other county charges are allowed by law.

"9. The Coroner, such fees as are now or may be hereafter allowed by law.

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, six hundred dollars per annum, and actual traveling expenses when visiting the schools of his county. And if the Board of Supervisors provide that he shall not engage in teaching, then he shall receive one thousand two hundred dollars per annum, and traveling expenses not to exceed three hundred dollars per annum, which expenses are to be allowed and paid as a county charge.

"12. The Surveyor, such fees as are now or may be hereafter allowed by law; *provided*, he shall be given all work for the county in which the county employs one surveyor or civil engineer.

"13. Justices of the Peace shall receive, for their own use and benefit, the following fees:

"For filing each paper, twenty-five cents; issuing any writ or process by which suit is commenced, one dollar; for entering such cause on his docket, fifty cents, for subpoena to each witness, twenty-five cents; for administering oath or affirmation, twenty-five cents; for certifying the same, fifty cents; for each certificate, fifty cents; for issuing writ of attachment or of arrest, or for delivery of property, two dollars; for entering any final judgment, per folio, for the first folio one dollar, for each additional folio, twenty-five cents; for taking and approving any bond or undertaking, directed by law to be taken or approved by him, fifty cents; for taking justification to a bond, one dollar; for swearing a jury, one dollar; for taking depositions, per folio, twenty cents; for entering satisfaction of judgment, fifty cents; for copy of judgment, order, docket, proceedings, or paper in his office, for each folio, twenty cents; for transcript of judgment, per folio, forty cents; for issuing commission to take testimony, one dollar; for issuing supersedeas to an execution, fifty cents; for making up and transmitting transcript and papers on appeal, two dollars; for issuing search warrant, one dollar; for issuing an execution, fifty cents; for celebrating marriage and returning certificate to the Recorder, five dollars; for all service and proceedings before a Justice of the Peace, in a criminal action or proceeding, whether on examination or trial, three dollars per day; for taking bail after commitment in criminal case, one dollar; for entering cause without process, one dollar; for entering judgment by confession, and only on affidavit, three dollars; for entering every motion, rule, order, verdict, or default, twenty-five cents.

"14. Constables shall receive for their own use and benefit the following fees:

"For serving summons and complaint on each defendant, one dollar; for making copy of summons, fifty cents; for attachment, two dollars, and all copies, one dollar; for taking bond or undertaking in any case in which he is authorized to take the same, one dollar; for serving every notice, rule, or order, one dollar; for advertising property for sale under execution, or under any judgment or order of sale, one dollar; for serving a writ of possession or restitution, putting a person in possession of premises, and removing the occupant, three dollars; for serving a subpoena, for each witness summoned, fifty cents; in all civil business, for each mile necessarily traveled, in going only, thirty cents; for commissions for receiving and paying over money on execution, or other process, when lands or personal property has been levied on and sold, on the first one thousand dollars, three per cent; on all sums above that amount, two per cent; for drawing and executing a Constable's deed, to include the acknowledgment, exclusive of stamp, to be paid by the grantee before delivery, three dollars; for executing a certificate of sale, exclusive of the filing and recording of the same, one dollar; for attending when required, on any court, in person or by deputy, for each day, three dollars, for making every arrest in a criminal proceeding, two dollars; for each mile necessarily traveled in criminal cases, twenty cents a mile both ways; for summoning a jury of twelve persons or less, two dollars; for summoning each additional juror, twenty-five cents; for conveying a prisoner when under arrest, the necessary expenses incurred in the transportation and mileage; in all cases where a keeper is required, in a Justice Court, by either the plaintiff or defendant, to take charge of property seized on attachment, execution, or other process, the Constable shall be allowed and be paid by the party requiring such keeper, the sum of two and a half dollars per day as compensation for such keeper; for every day waiting on court in criminal cases, either in person or by deputy, three dollars per day; for taking prisoner before any other magistrate, all necessary expenses and mileage; for all witnesses summoned in criminal cases, fifty cents; for selling property under execution or attachment, three dollars per day.

"15. Each Supervisor, four hundred dollars per annum, and ten cents per mile for traveling to and from his residence to the county seat at each session; and, unless otherwise provided by law, when serving as Road Commissioner three dollars per day. But he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner.

"16. In counties of this class the official reporter of the Superior Court shall receive as full compensation for taking notes in civil and criminal cases tried in said court, and for preliminary examinations in Justices' Courts, and in examinations for commitment to the asylum for the insane, a monthly salary of one hundred dollars, payable out of the County Treasury, at the same time and in the same manner as the salary of county officers; and for transcription of said notes when required, he shall receive the sum of ten cents per folio for the original and five cents per folio for a copy, said compensation for transcription in criminal cases to be audited and allowed by the Board of Supervisors as other claims against the county, and paid out of the County Treasury; and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the Court may direct; *provided*, that if a reporter pro tempore shall be appointed by the Judge of the Superior Court under the provisions of section two hundred and seventy-one of the Code of Civil Procedure, he shall receive as his compensation for his services for taking notes, as herein provided, such sum as may be allowed by said Judge, which sum shall be deducted from the salary of the official reporter, and for transcription of said notes the fees hereby provided; *and provided further*, that no person shall be eligible to appointment as such official reporter unless he shall be at the time of his appointment a citizen of the United States and qualified as an elector to vote for Governor of this State, *further provided*, that when transcription of said notes shall be ordered by the Judge in civil cases, the amount paid therefor by the prevailing party shall be taxed as costs in the case.

"SEC. 190. In counties of the thirty-third class the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

"1. The County Clerk, two thousand dollars per annum.

"2. The Sheriff, four thousand dollars per annum, and all mileage for the service of papers issued out of any court outside of his county.

"3. The Recorder, one thousand dollars per annum.

"4. The Auditor, five hundred dollars per annum.

"5. The Treasurer, one thousand five hundred dollars per annum.

"6. The Tax Collector, five hundred dollars per annum, and ten per cent on all licenses collected by him as License Collector.

"7. The Assessor, four thousand dollars per annum.

"8. The District Attorney, one thousand five hundred dollars per annum.

"9. The Coroner, such fees as are now or may be hereafter allowed by law.

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, fifteen hundred dollars per annum, and actual traveling expenses when visiting the schools of his county.

"12. The Surveyor, such fees as are now or may be hereafter allowed by law.

"13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.

"14. Constables, the following fees: For service of summons in civil cases for each defendant, to include the copy required by law, one dollar. For summoning a jury of twelve or less before a Justice of the Peace, one dollar, and fifty cents for each additional juror above twelve. For taking any bond required by law to be taken, fifty cents. For summoning each witness, twenty-five cents. For serving an attachment or levying an execution on the property of a defendant, one dollar and fifty cents. For receiving and taking care of property on execution, order, or attachment, his actual necessary expenses, to be allowed by the Justice who issued the order, attachment, or execution upon the affidavit of the Constable that the charges are correct, and that the expenses were necessarily incurred. For collecting all sums on execution, three per cent. For serving a warrant or order for the delivery of personal property or for making an arrest in a civil case, one dollar and fifty cents. For making each arrest in criminal cases, two dollars. For every mile necessarily traveled, in going only, to serve any civil or criminal process or paper, or to take a prisoner before a magistrate or to prison, twenty-five cents; but when two or more persons are served or summoned in the same suit at the same time, mileage shall be charged only for the most distant, if they live in the same direction. For sales of estrays, the same fees as for sales under execution. For the transportation of prisoners to the County Jail, the actual necessary expenses. For attending Justices' Courts and taking charge of a jury when required, in each case fifty cents.

"15. Each member of the Board of Supervisors, four hundred dollars per annum, and twenty cents per mile for traveling from his residence to the county seat.

"16. In counties of this class the official reporter shall receive a salary of one hundred dollars per month, payable monthly, and in the same manner and at the same time as other county officers are paid, which salary shall be in full compensation for all services, both per diem and transcription of testimony, required of him in the Superior Court, and in the Justices' Courts of the county in examinations, and before the Coroner in homicide cases in all cases in which the county or the people of the State of California are a party. It shall be his duty to attend all examinations in the Justices' Courts and before the Coroner in homicide cases when not engaged in the

Superior Court. In civil cases his fee for taking notes shall be at the rate of seven dollars and fifty cents per day and his fee for transcription of testimony shall be at the rate of ten cents per folio for the first copy and five cents for each succeeding copy, one half of which amount, both per diem and for transcription of testimony, shall be paid into court, to be paid into the County Treasury by the clerk of the court, and the remaining half shall be paid to the reporter and be retained by him as full compensation for his services in civil cases. He shall receive his actual traveling expenses while attending Justices' Courts and before the Coroner."

Amendment adopted.

Substitute for Senate Bills Nos. 58 and 194 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At eleven o'clock and five minutes P. M., on motion of Mr. Wright, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, March 14, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER, }
Tuesday, March 14, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Monday's Journal, the further reading was dispensed with, on motion of Mr. Belshaw.

The Journal of Saturday, March 11, 1899, was read and approved.

CORRECTION OF JOURNALS.

Mr. Dunlap moved that the vote whereby the Journal of Thursday, March 2, 1899, was approved be reconsidered.

So ordered.

Mr. Dunlap moved that the Journal of that date be corrected so as to show that report of the select committee of one, consisting of Mr. Dunlap,

appointed to amend Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens—was adopted.

So ordered.

The Journal, as corrected, was approved.

Mr. Merritt moved to reconsider the vote whereby the Journal of Friday, January 27, 1899, was approved.

So ordered.

Mr. Merritt moved that the above dated Journal be corrected so as to show that Assembly Concurrent Resolution No. 13, instead of No. 15, was "read and ordered to printer and on file."

So ordered.

The Journal of January 27, 1899, as corrected, was approved.

RESOLUTIONS.

By Mr. Jilson:

Resolved, That C. S. MacMullan be and is employed as expert to review the Assembly Journals, and to report to the Committee on Public Printing all errors and omissions therein found which tend to show that in the passage of bills the constitutional requirements have not been complied with.

Resolution read, and referred to Committee on Public Printing.

By Mr. Bliss:

Resolved, That the sum of \$70 is hereby allowed to R. Woolf for services rendered as elevator attendant during the thirty-third session of the Legislature, the same payable out of the Contingent Fund of the Assembly. The Controller of the State is hereby directed to draw his warrant in favor of said R. Woolf for the amount herein mentioned, and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Attachés and Employés.

By Mr. Fairweather:

Resolved, That from and after this date debate shall be confined to ten minutes on any bill or resolution that may be offered during the present session of this Assembly; time to be divided equally to each side of the question, or as the parties in charge of the bill may agree.

Resolution read, and referred to Committee on Rules and Regulations.

By Mr. Mead:

Resolved, That the Chief Clerk of the Assembly be instructed to wire some florist in Redlands to furnish a floral piece, in behalf of the Assembly, for the funeral of the wife of our fellow member, Hon. F. P. Meserve.

Resolution read and adopted.

Mr. Caminetti moved that the resolution *in re* expenses of Brooke, offered by him on Friday last and printed in Journal of said day, be referred to Committee on Attachés and Employés.

So ordered.

SPECIAL ORDER SET.

Mr. Works moved that Assembly Bill No. 130 be made special order for to-morrow.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural

associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 31, 1897," relating to the classification of counties into agricultural districts.

Passed on file.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed.

Mr. De Lancie moved that a select committee of one be appointed to amend Assembly Bill No. 567 as follows:

Strike out the words "fifty per cent of the qualified electors residing," in lines 10 and 11, Section 2, page 2, printed bill, and insert in lieu thereof the following: "sixty per cent of the qualified electors whose names appear on the last assessment roll of the county proposed to be divided, as owners of real estate in the proposed new county."

Also: Strike out the word "two," in line 14, Section 3, page 5, printed bill, and insert in lieu thereof the word "four."

Also: Strike out the word "two," in line 24, Section 3, page 5, printed bill, and insert in lieu thereof the word "four."

Also: Strike out the words "a majority," in line 31, Section 4, page 7, printed bill, and insert in lieu thereof the words "two thirds."

Motion carried, and it was so ordered.

Mr. De Lancie was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed—with instructions to amend, now reports that the instructions of the Assembly have been carried out

DE LANCLIE, Committee.

Report adopted.

Assembly Bill No. 567 ordered to print, reingrossment, and final passage.

Assembly Bill No. 20—An Act to fix the fees of County Clerk.

Passed temporarily on file.

Assembly Bill No. 1005—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

Mr. Belshaw moved to amend as follows:

Amend Section 1, line 3, by inserting after the word "governments" the following: "approved April 1, 1897."

Amendment adopted.

Mr. Johnson moved to amend the title to make it read as follows:

An Act to amend Sections 162 and 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Amendment adopted.

Also: Amend by adding a new section, to be known as Section 1½, to come in after Section 1

Sec 1½. Section 162 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, is hereby amended so as to read as follows:

"Section 162. In counties of the fifth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"1. The County Clerk, three thousand dollars per annum: he shall appoint one chief

deputy at a salary of fifteen hundred dollars per annum, one additional deputy at a salary of nine hundred dollars per annum, and three court-room clerks at a salary of twelve hundred dollars each per annum; the salaries of each of said deputies and clerks to be paid out of the County Treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid.

"2. The Sheriff, nine thousand dollars per annum, and one deputy sheriff, at a salary of one thousand five hundred dollars, to be paid at the same time and in the same manner as other county officers are paid, being the same deputy allowed Sheriffs under and by virtue of section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March twenty-fourth, eighteen hundred and ninety-three, and such fees and mileage as are now or hereafter may be provided by law for all services done or performed in actions coming from another county, and for all criminal service necessarily performed out-side of his county, and all necessary expense incurred in arresting and conveying prisoners before a court or to prison, and shall have such fees and reasonable expenses incurred in taking and keeping property seized under attachment or levied on under execution; *provided*, that the keeper's fees shall not exceed three dollars per day or twelve hours, except when it becomes necessary to keep a place of business open in the night, in which case he shall be allowed additional keeper's fees, to be fixed by the court from which the writ issued under which the property was taken. In counties of this class the Sheriff may appoint an under sheriff, which office is created, who shall receive as compensation for services the sum of fifteen hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments, in the same manner and at the same time as other county officials are paid.

"3. The Recorder, four thousand dollars per annum

"4. The Auditor, one thousand dollars per annum.

"In counties of this class the Auditor may appoint a deputy auditor, which office is hereby created, who shall receive as compensation for services the sum of nine hundred dollars per annum, to be paid in equal monthly installments in the same manner and at the same time as other county officials are paid

"5. The Treasurer, three thousand four hundred dollars per annum.

"6. The Tax Collector, two thousand five hundred dollars per annum.

"6½. The License Collector, one thousand eight hundred dollars per annum

"7. The Assessor, six thousand dollars per annum; and he may appoint a chief deputy, which office is hereby created, who shall receive as compensation for his services, the sum of fifteen hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments in the same manner, at the same time, and out of the same fund as is the salary of the Assessor. The Assessor may also appoint one deputy, to be known as field deputy, which office is hereby created, who shall receive as compensation twelve hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments, at the same time, in the same manner, and out of the same fund as is the salary of the Assessor. This Act shall take effect on and after its passage.

"8. The District Attorney, three thousand six hundred dollars per annum. In counties of this class the District Attorney may appoint an assistant district attorney, which office is hereby created, who shall receive as compensation for his services the sum of fifteen hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments in the same manner and at the same time other county officials are paid. In counties of this class the District Attorney may appoint a clerk for service in his office, which office of clerk to the District Attorney is hereby created, and said clerk shall receive as compensation for his service the sum of nine hundred dollars per annum, to be paid out of the County Treasury in equal monthly installments in the same manner and at the same time other county officials are paid

"9. The Coroner, such fees as are now or may be hereafter allowed by law

"10. The Public Administrator, such fees as are now or may be hereafter allowed by law.

"11. The Superintendent of Schools, two thousand dollars per annum, and actual traveling expenses when visiting schools of his county, not exceeding three hundred dollars per annum; and the said Superintendent of Schools may appoint one assistant superintendent of schools, which office of assistant superintendent of schools is hereby created, who shall receive as compensation the sum of nine hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers.

"12. The Surveyor, two thousand four hundred dollars per annum, and in addition thereto all necessary expenses, in the discretion of the Board of Supervisors, and transportation for work performed on the field, *provided*, that in counties of this class, whenever the Board of Supervisors shall order Assessor's map or block books, then the Surveyor shall receive, in addition to the salary hereinabove noted, the sum of nine hundred dollars for the preparation and completion of the said map or block books

"13. Justices of the Peace in townships having a population of over fifteen thousand shall receive a salary of one hundred dollars per month in full for all criminal business, which salary shall be paid each and every month as the salaries of county officers are paid, and shall retain the fees allowed by law for services performed in civil actions. In all townships under four thousand population Justices of Peace shall receive such fees as are now or may be hereafter allowed by law; *provided*, that in townships of more than four thousand and less than fifteen thousand inhabitants there shall be one Justice of the Peace, who shall receive a salary of seventy-five dollars per month in full of all

services rendered in criminal cases, and such fees as are now by law allowed for services in civil cases.

"14. The Constables shall receive the following monthly salaries, to be paid each month as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases, viz.: In townships having a population of fifteen thousand or more, one hundred dollars per month, and shall retain the fees allowed by law for services performed by them in civil actions. In all townships having a population under four thousand, they shall have such fees as are now or may be hereafter allowed by law; *provided*, that in townships having a population of more than four thousand and less than fifteen thousand inhabitants, two Constables, who shall receive a salary of seventy-five dollars per month in full of all services rendered.

"15. Each Supervisor, seventy-five dollars per month, and ten cents per mile for traveling to and from the county seat; *provided*, mileage shall not be allowed oftener than once in each month.

"16. In counties of this class, the official reporters of the Superior Court shall receive, as full compensation for taking notes in civil and criminal cases tried in said court, each a monthly salary of one hundred and sixty-six and two thirds dollars, payable out of the County Treasury at the same time and in the same manner as the salary of other county officers; and for transcription of said notes when required, the sum of ten cents per folio for the original, and five cents per folio for a copy, shall be paid the reporter making the transcription. Said compensation for transcription in criminal cases to be allowed on the order of the court, and paid out of the County Treasury, and in civil cases to be paid by the party ordering the same, or, when ordered by the Judge, by either party, or jointly by both parties, as the court may direct. It is further provided that in each civil case reported by the official reporter there shall be taxed as costs in the case, five dollars per diem for each day of the trial thereof. Such per diem fee shall be paid to the clerk of the court in advance by the party requesting the services of the reporter, and where his services are requested by more than one party, then such fee shall be paid in equal proportions by each of said parties. All per diem fees so collected shall be paid by said clerk into the treasury of the county in which the case is tried.

"17. All portions of this section referring to the salaries of the Sheriff, Auditor, Assessor, Justices of the Peace, Constables, Superintendent of Schools, County Clerk, Surveyor, and official reporters shall take effect and be in full force from and after the passage of this Act."

Amendment adopted.

Assembly Bill No. 1005 ordered to print, engrossment, and third reading, continued as a special order, and a "rush order" to the printer ordered.

At ten o'clock and thirty-five minutes A. M., the Speaker called Mr. Wade to the chair.

Assembly Bill No 1006—An Act to create a Department of Public Works, to define the powers and duties thereof and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof.

Read second time.

Mr. Radcliff moved that the Assembly resolve itself into Committee of the Whole, with Mr. Wade in the chair, for the purpose of considering Assembly Bill No. 1006.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 1006 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1006—An Act to create a Department of Public Works, to define the powers and duties thereof and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof—and do now report the same, with amendments, and recommend that the same do pass as amended.

WADE, Chairman.

Report adopted.

Assembly Bill No. 1006—An Act to create a Department of Public Works, to define the powers and duties thereof and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof.

The following committee amendments were submitted:

AMENDMENT No. 1.

In line 2, page 1, printed bill, strike out the word "four," and insert in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 2.

In line 2, Section 4, page 2, insert a hyphen between the syllable "ex" and the word "officio."

Amendment adopted.

AMENDMENT No. 3.

In line 2, Section 6, page 2, printed bill, after the word "with" insert the word "his."

Amendment adopted.

AMENDMENT No. 4.

In line 2, Section 6½, page 2, printed bill, strike out the letter "s" in the word "investigations."

Amendment adopted.

AMENDMENT No. 5.

In line 8, Section 36, printed bill, strike out the words and dash "in Section ——" and insert the words "by this Act."

Amendment adopted.

Assembly Bill No. 1006 ordered to print, engrossment, and third reading, and continued as a special order.

Assembly Bill No. 383—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto four new sections, to be numbered Sections 87½, 148½, 149½, and 156½, respectively.

Mr. Miller of Los Angeles moved that a select committee of one be appointed to amend the bill as follows:

By striking out the whole of subdivision 16 of Section 159 and inserting in lieu thereof the following:

"This Act shall take effect and be in force from and after the first day of January, A. D. nineteen hundred and three."

The question being, "Shall a select committee of one be appointed for the purpose of amending Assembly Bill No. 383?"

The ayes and noes were demanded by Messrs. Melick, Conrey, and Dunlap.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Crowley, Dunlap, Fairweather, Hoey, Johnson, Mack, Merrill, Miller of Los Angeles, and Robinson—9.

NOES—Messrs. Arnerich, Atherton, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Cowan, Dale, Dibble, Feliz, Griffin, Hanley, Knowland, Le Baron, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, O'Brien, Pierce, Radcliff, Raub, Stewart, Valentine, Wade, Works, and Wright—35.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancey, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Kelley, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, White, Works, and Wright—55.

NOES—Mr. Miller of Los Angeles—1.

Title read and approved.

Mr. Burnett moved that Assembly Bill No. 567 be made a "rush order" to the printer.
So ordered.

RESOLUTION—(CASES OF URGENCY).

By Mr. Caminetti:

Resolved, That Assembly Bills Nos. 1007 and 1008 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

Ayes—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Felz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merrill, Merritt, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—58.

Noes—Messrs. Conrey and Miller of Los Angeles—2.

Assembly Bill No. 1007—An Act to define the boundary lines of the several counties, and cities and counties, of the State, and to define the powers and duties of certain officers in relation thereto.

Read second time, and considered engrossed.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Felz, Glenn, Hanley, Hoey, Jilson, Kelley, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McKeen, Mead, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—50.

Noes—Mr. Clough—1

Title read and approved.

Assembly Bill No. 1008—An Act to create a Joint Board of Trustees for the Whittier State School and the Preston School of Industry, to define its duties and powers, and to provide for the classification of the inmates therein.

Read second time, and considered engrossed.

Read third time.

The question being on the final passage of the bill.

The bill was called, and the bill passed by the following vote:

Ayes—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Kelley, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Wright—63.

Noes—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. La Barea was granted leave of absence for the day, on motion of Mr. Dunlap.

SPECIAL ORDERS—(RESUMED).

Assembly Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to Section 3 of Article IV of the Constitution of the State, relating to the election and term of office of members of the Assembly.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 20 refused adoption by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Feliz, Glenn, Griffin, Henry, Hoey, Julson, Kelley, Kelsey, Kenneally, Le Baron, Lardner, Lundquist, Mack, McKeen, Mead, Milice, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, White, Works, and Wright—47.

NOES—Messrs. Belshaw, Dunlap, Knowland, McDonald of Alameda, Melick, Wade, and Mr. Speaker—7.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Mr. Fairweather moved to amend as follows:

In line 6, by inserting in place of "twenty-five days" the words "fifty days."

Motion lost.

Mr. Brown moved to amend as follows:

Strike out of line 14, the word "sixty" and insert in lieu thereof the word "ninety."

Amendment adopted.

Mr. Caminetti moved to amend as follows:

Strike out the word "the" at the end of line 15, page 1, and insert the word "unanimous."

Also: Strike out the words "of three fourths" in line 16, page 1.

Amendments adopted.

Assembly Constitutional Amendment No. 18 ordered to print and engrossment.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 20—An Act to fix the fees of County Clerk

RICKARD, Chairman

Assembly Bill No. 20 ordered to third reading.

ON ATTACHÉS AND EMPLOYÉS—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That for and by reason of services rendered the Assembly by L. H. Drew, as fireman, from January 3 to February 3, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said L. H. Drew for the sum of \$90, the same being for thirty days' services at \$3 per day, being the same rate paid all other firemen, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back without recommendation.

LUNDQUIST, Chairman.

Mr. Mead moved that the resolution be recommitted to Committee on Attachés and Employés, with instructions to report definite recommendation.

Motion carried.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 20—An Act to fix the fees of County Clerk.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Chynoweth, Clark, Cobb, Cosper, Crowder, Dale, Dunlap, Fairweather, Glenn, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Miller of San Francisco, Radcliff, Raub, Rickard, Stewart, Eugene Sullivan, Wade, Works, and Wright—42.

NOES—Messrs. Conrey, O'Brien, E. D. Sullivan, and White—4.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Hanley gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 20 was this day finally passed.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 14, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Bulla, Burnett, Curtin, Davis, Dickinson, Doty, Feenev, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—34.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt,

Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Monday, March 13, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Monday, March 13, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Currier, Jones, Maggard, Nutt, Smith, and Trout—7.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For H. C. Gesford—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Prisk, and Sims—10.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	35
W. H. L. Barnes received	7 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	3 votes.
Henry C. Gesford received	10 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, and Robinson—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beccher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Henry C. Gesford—Messrs. Boone, Brooke, Burnett, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, Mead, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—19.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.

D. M. Burns received	19 votes.
U. S. Grant, Jr., received	21 votes.
Irving M. Scott received	2 votes
Henry C. Gesford received	19 votes.
John Rosenfeld received	1 vote

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	112
Necessary to a choice	57
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	26 votes.
U. S. Grant, Jr., received	23 votes.
Irving M. Scott received	5 votes.
John Rosenfeld received	1 vote.
Henry C. Gesford received	29 votes
James D. Phelan received	1 vote

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-one minutes P. M., Assemblyman Dibble moved to adjourn until Wednesday, March 15, 1899, at twelve o'clock M. Motion carried.

Whereupon the President pro tem. of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Wednesday, March 15, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-two minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your special committee of three, appointed in pursuance of the following resolution, to wit:

Resolved, That the Speaker appoint a select committee of three to take testimony and report the facts in connection with the arrest of George W. Ficks, for interfering with the Sergeant-at-Arms, and obstructing the process of the House; that the Speaker assign one of the official stenographers to report the testimony, and one of the committee clerks to act as clerk of said committee;

Resolved, That the committee be given power to send for persons and papers;

Resolved, That said committee be instructed to ascertain and report whether any member of the House advised or instructed said Ficks to interfere with or obstruct the process of the House in any way;

Resolved, That the committee be instructed to report on Friday next.

Beq leave to report as follows: We have fully and carefully examined witnesses on behalf of the Assembly and the defendant, and find that on the night of the 7th inst., during a call of the House, it was found that several members of the Assembly were absent, and a warrant for their arrest, properly signed by the Speaker and Chief Clerk, was duly issued and handed to the Sergeant-at-Arms for service. Subsequent thereto three Assistant Sergeants-at-Arms visited the Clunie Opera House, in the City of Sacramento, for the purpose of executing said warrant of arrest. Upon their arrival at the theater, the manager thereof, Mr. George W. Ficks, the defendant, was informed of the object of their visit.

They were admitted to the theater at a time when the curtain was up, the house darkened, and the play in progress. The officers awaited the fall of the curtain between the third and fourth acts, with the expectation that the lights would be turned on between said acts. The testimony shows that the lights were not turned on between those acts, as is customary between acts at this theater. The officers made an examination of the theater in search of the missing Assemblymen, but did not discover any, owing to the semi-darkness prevailing in the theater, as was testified to by the officers.

It is the uncontradicted testimony of Mr. Ficks that on the night of the 7th inst. a visiting company, with its stage manager, had absolute control of the lights, and that he had no authority either to turn on or turn off the lights during that night, while the visiting company had charge of the stage. Mr. Ficks testified that he did not request or order that the lights should not be turned on between said acts, and that he does not know the reason why they were not turned on.

We were unable to secure the attendance of the stage manager of the visiting company, and therefore we have the unimpeached testimony that Mr. Ficks did not interfere in any manner whatever with the lights in the theater on that occasion.

We also find that no member of this House advised or instructed said Ficks to interfere with or obstruct the process of the Assembly in any manner whatsoever.

Wherefore, your committee finds that the testimony in this matter shows that Mr. George W. Ficks is not guilty of the charge of contempt of this Assembly, and we recommend the dismissal of the proceedings against him, and further recommend that your committee be discharged.

MACK,
E. D. SULLIVAN,
CLOUGH,
Committee.

Report read, and ordered printed in the Journal.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed: Assembly Bills Nos. 180, 454, 672, and 985.

Assembly Bill No. 180—An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Assembly Bill No. 454—An Act to amend Section 3196 of the Political Code, relating to the definition of trademarks.

Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No. 985—An Act making an appropriation to pay the expenses of the Railroad Commissioners of California in conducting certain litigation.

RICKARD, Chairman

Assembly Bills Nos. 180, 454, 672, and 985 ordered to third reading.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 60 and 839.

Assembly Bill No. 60—An Act to amend Section 5 of an Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made, approved March 24, 1893.

Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, etc.

RICKARD, Chairman.

Assembly Bills Nos. 60 and 839 ordered on file for final passage.

MOTION.

Mr. Cosper moved to take up, out of order, Assembly Bill No. 672 for consideration.

So ordered.

Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

95—A

Mr. Cosper moved that a select committee of one be appointed to amend Assembly Bill No. 672 as follows:

Strike out the word "ten," in line 55, and insert in lieu thereof the word "twenty."

Also: Insert after the word "cases," in line 57, as follows: "In townships having a population of less than fifteen hundred, Justices of the Peace shall receive, as full compensation for all services rendered in criminal cases, the sum of ten dollars per month, and in addition thereto may retain for their own use the fees which are now or hereafter may be allowed by law in civil cases."

Motion carried, and it was so ordered.

Mr. Cosper was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COSPER, Committee.

Report adopted.

Assembly Bill No. 672 ordered to print, reëngrossment, and final passage.

SENATE SPECIAL FILE.

Senate Bill No. 177—An Act to add a new section to the Civil Code, to be known as Section 431 thereof, relating to the form of fire insurance policies.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Dale, Dibble, Dunlap, Glenn, Hanley, Hoey, Jilson, Johnson, Kelsey, Knowland, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Miller of Los Angeles, O'Brien, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation.

The question being on the final passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending roll call, Mr. Dunlap moved a call of the House, seconded by Messrs. Johnson and Robinson.

So ordered.

Mr. Johnson moved that further proceedings under call of the House be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Clough, Cobb, Conrey, Cosper, Crowder, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Henry, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McKeen, Merrill, Merritt, Milce, Miller of Los Angeles, Muentzer, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Valentine, Wade, Works, and Wright—44.

NOES—Messrs. Boone, Burnett, Caminetti, Cargill, Dale, Feliz, Glenn, Hanley, Hoey,

Mack, McDonald of Tuolumne, Miller of San Francisco, Stewart, Wardell, White, and Mr. Speaker—16.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. O'Brien gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 320 was this day finally passed.

Committee Substitute for Senate Bill No. 227—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Passed on file.

Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Kelsey, Kenneally, Knights, Knowland, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 206—An Act to provide for the completion of the main building of the California Home for the Care and Training of Feeble-Minded Children by the erection, equipment, and furnishment of the front section thereof, to appropriate money therefor, and to authorize the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Boynton, Brooke, Brown, Cargill, Clough, Conrey, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and Works—45.

NOES—Messrs. Boone, Caminetti, Merrill, Muentner, Robinson, Valentine, Wardell, and Mr. Speaker—8.

Title read and approved.

At three o'clock P. M., the Speaker called Mr. Dibble to the chair.

SENATE JOINT RESOLUTION No 19.

Resolution as to making upon the Island of Molokai a leper hospital for the care of all lepers within the United States.

WHEREAS, There has been lately annexed to these United States a large island known as Molokai, one of the Hawaiian group; and

WHEREAS, Upon the said Island of Molokai there is a leper hospital devoted entirely to the care and cure of lepers, and which island, on account of its locality and conditions, is peculiarly adapted for such purposes; therefore, be it

Resolved by the Senate and Assembly, jointly, That we hereby recognize the great necessity of having all those afflicted with leprosy confined within and upon the said Island of Molokai, both because of its isolated condition and equable climate; and be it

Resolved, That we call upon our Representatives in Congress to use every honorable effort to have every leper found within these United States, or hereafter to be found herein, sent to the said Island of Molokai for care and treatment; and be it further

Resolved, That the Secretary of the Senate be requested to transmit these resolutions to our Senators and Representatives in Congress.

Resolution read and adopted.

Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Passed on file.

Senate Bill No. 240—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barry, Boone, Boynton, Brooke, Caminetti, Cargill, Clark, Cobb, Crowley, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Mihce, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Wright—47.

NOES—Messrs. Burnett, Clough, Conrey, Dale, Lardner, and Melick—6.

Title read and approved.

Senate Bill No. 336—An Act to amend Section 592 of the Penal Code of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—54.

NOES—None.

Title read and approved.

Senate Bill No. 487—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653½, relating to the fees charged by employment agencies.

Mr. Valentine moved that Senate Bill No. 487 be denied third reading.

Motion lost.

Senate Bill No. 487 read third time.

Mr. Valentine moved that a select committee of one be appointed to amend Senate Bill No. 487 as follows:

Strike out all after the words "An Act," and insert in lieu thereof the following:
"To provide for the giving of bonds by the keepers of intelligence offices, defining the same, and their liabilities

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

"SECTION 1. Every person, firm, or corporation now carrying on or conducting the business of an employment or intelligence office in this State shall, within sixty days after this Act takes effect, or before such persons, firm, or corporation shall thereafter commence to conduct such business, file with the Clerk of the county, or city and county, within which such business is or is sought to be transacted, a bond to the people of the State of California in the penal sum of five thousand dollars, with two sureties or with some guarantee surety company approved by a Judge of a Superior Court of said county, or city and county, conditioned that the obligor will pay to any client or customer of said obligor, to whom intelligence for employment shall be by him or her or through the agency of him or her furnished and paid for, any and all fees paid and necessary traveling expenses which such client or customer may have incurred by reason of such intelligence for employment having been fraudulently represented by said obligor or agency, and also that execution upon any judgment against said obligor for any such fees or expenses may be issued against said obligor and said sureties severally.

"SEC. 2. If, at any time, the Clerk of any county, or city and county with whom such bond has been filed, or in whose custody such bond may be on file, shall be informed

in writing, that the sureties or any of them, on any bond described in Section 1 of this Act, have died or removed from the county, or city and county, or become unable to pay the said penalty of such bond, the Clerk shall immediately notify in writing by mail the obligor in such bond to file within twenty days a new bond in said penal sum, with sureties to be approved by a Superior Judge of said county, or city and county, as in Article I of this Act is provided.

"SEC. 3 Upon the recovery of any judgment, in any court of competent jurisdiction against the obligor in any bond filed as required by Section 1 of this Act, execution shall be issued against the property of the said obligor and his sureties severally, as in said bond conditioned; *provided, however*, that proceedings upon any such judgment may be stayed as is provided in other cases.

"SEC. 4. No license shall be issued to any keeper of an intelligence office, as is provided in Section 3380 of the Political Code of this State, until there shall have been filed with the Clerk of the county, or city and county, where the business is to be conducted, the approved bond required by Section 1 of this Act.

"SEC. 5 Any person who shall conduct or carry on any intelligence office in this State without complying with the provisions of this Act shall be guilty of a misdemeanor, and upon each conviction thereof shall be fined in a sum not exceeding \$500, or imprisonment in the County Jail for a term not exceeding sixty days.

"SEC. 6. Every County Clerk in this State shall keep in his office an index of bonds which may be filed with him under the provisions of this Act, showing the names of all the parties to such bonds.

"SEC. 7. For the purposes of this Act, all persons, firms, or corporations who shall receive compensation, in any manner, for finding situations for any employes, or for furnishing information where employment may be obtained, shall be held to be intelligence offices.

"SEC. 8 This Act shall take effect immediately "

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Blood, Boone, Burnett, Caminetti, Cargill, Crowder, Crowley, De Lancey, Devoto, Dibble, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lundquist, Mack, McDonald of Tuolumne, McKeen, Merrill, Merritt, Muentner, O'Brien, Radcliff, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Works, and Wright—43.

NOES—Messrs. Belshaw, Boynton, Clough, Cobb, Conrey, Dale, Fairweather, McDonald of Alameda, Melick, Miller of Los Angeles, Miller of San Francisco, Pierce Robinson, Valentine, and Wade—15

Title read and approved.

Senate Bill No. 146—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rates of interest.

Read third time.

Mr. Johnson moved that a select committee of one be appointed to amend Senate Bill No. 146 as follows:

Strike out all after the word "interest," in line 4, Section 2, page 2, printed bill, to the end of line 7 of Section 2, page 2, printed bill, and insert in lieu thereof the words "and it shall be allowed, according to the terms of the agreement, until the entry of judgment."

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barry, Beecher, Belshaw, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cowan, Crowder, Dale, Fairweather, Feliz, Glenn, Hanley, Hoey, Jilson, Kelley, Kelsey, Kenneally, Knowland, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, Muentner, O'Brien, Pierce, Raub, Sanford, E. D. Sullivan, Wardell, White, Works, and Wright—43.

NOES—Messrs. Conrey, Knights, Le Baron, and Radcliff—4.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 690 and 292.

Assembly Bill No. 690 (Substitute for Assembly Bills Nos. 360 and 290)—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

And were presented to the Governor March 14, 1899, at three o'clock and forty minutes P. M.

RICKARD, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Boone, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Cowan, Crowder, Crowley, Dibble, Feliz, Glenn, Hanley, Henry, Jilson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Muentner, O'Brien, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wardell, White, Works, and Wright—47.

NOES—Messrs. Conrey, Dale, Dunlap, and Fairweather—4.

Title read and approved.

Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Read third time.

Mr. Conrey moved that the bill be referred to Committee on Judiciary, and to retain its place on file.

So ordered.

Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Crowder, Crowley, Dale, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Muentner, O'Brien, Radcliff, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—56.

NOES—Mr. Clough—1.

Title read and approved.

Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Read third time.

Mr. Caminetti moved that a select committee of one be appointed to amend Senate Bill No. 283 as follows:

Strike out from end of Section 1 the period, and insert in lieu thereof a semicolon, and the following: "provided, that no expenditures shall be made under the provisions of this Act until the plans therefor have been submitted to, and approved by, the State Board of Examiners

Also: Strike out in Section 4, page 1, the words "from and after its passage," and insert in lieu thereof the following: "January first, nineteen hundred."

Motion carried, and it was so ordered.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating

plant at the Preston School of Industry—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CAMINETTI, Committee.

Report adopted.

Senate Bill No. 283 ordered to print, reëngrossment, and final passage.

Senate Bill No. 363—An Act to amend Section 2022 of the Political Code of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Brooke, Burnett, Caminetti, Clark, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Fairweather, Feliz, Griffin, Hanley, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Wright—54.

NOES—None.

Title read and approved.

Senate Bill No. 662—An Act to amend Section 1416 of the Civil Code, relative to water rights.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Caminetti, Clough, Conrey, Crowder, De Lancie, Dunlap, Fairweather, Feliz, Griffin, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Milice, Miller of San Francisco, Muentner, Pierce, Raw, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—42.

NOES—Messrs. Dale and Dibble—2.

Title read and approved.

Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services.

Read third time, and passed temporarily on file.

RECONSIDERATION OF VOTE.

Mr. Belshaw moved that the vote whereby Senate Bill No. 122 was ordered to third reading be reconsidered.

So ordered.

Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with Mr. Dibble in the chair, for the purpose of considering Senate Bill No. 122.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 122 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor—and do now report the same, with amendments, and recommend that the same do pass as amended.

DIBBLE, Chairman.

Report adopted.

Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor. The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the enacting clause, to read as follows:
"The People of the State of California, represented in Senate and Assembly, do enact as follows."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, lines 3 and 4, by striking out the words "three thousand four hundred and forty dollars and thirty-one cents," and inserting in lieu thereof the following: "one thousand five hundred and thirty-nine dollars and seventy-six cents."

Amendment adopted.

Senate Bill No. 122 ordered to print, engrossment, and third reading.

Senate Bill No. 464—An Act relating to permissive physical examinations by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

Mr. Fairweather moved to strike out the enacting clause.

Motion lost.

Read third time.

The question being on the final passage of the bill.

The roll was called.

Pending roll call, Mr. Kenneally moved a call of the House.

Motion lost.

ROLL CALL—(RESUMED).

The roll was called, and the bill lost by the following vote:

AYES—Messrs. Arnerich, Blood, Brooke, Caminetti, Cowan, Crowder, Crowley, Dibble, Feliz, Glenn, Griffin, Hanley, Henry, Ilcoy, Kelley, Kenneally, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, O'Brien, Raw, Rickard, Stewart, Eugene Sullivan, Wardell, White, Works, and Wright—33.

NOES—Messrs. Belshaw, Bliss, Brown, Burnett, Chynoweth, Clark, Clough, Cobb, Dale, Dunlap, Fairweather, Johnson, Kelsey, Knights, Le Baron, Lardner, Melick, Milice, Miller of Los Angeles, Miller of San Francisco, Muenster, Pierce, Robinson, E. D. Sullivan, and Wade—25

NOTICE OF RECONSIDERATION.

Mr. E. D. Sullivan gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 464 was this day refused final passage.

MOTION.

Mr. Crowley moved that the Assembly do now consider Senate messages. So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California, at the Paris Exposition in 1900; also, for preparing and printing literature for distribution at said exposition, and providing a commission, salaries, and expenses of commission and attachés

Also: Amended, and passed as amended, Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act. And respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 62 and 249 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to Section 8, Article XI of the Constitution of the State of California, relating to charters.

Also: Passed Senate Bill No. 434—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Also: Passed Senate Bill No. 47—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

Also: Passed Assembly Bill No. 127—An Act to provide for the purchase of additional lands for the Folsom State Prison, and making an appropriation therefor.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Constitutional Amendment No. 23 read, and referred to Committee on Judiciary.

Assembly Bill No. 131 withdrawn by author.

Assembly Bill No. 127 ordered to enrollment.

Senate Bill No. 434—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Read first time, and ordered on Senate special file.

Senate Bill No. 47—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions, and officers, and directing the disposition of the same—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 554 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 319—An Act to authorize the insurance of all property of the University of California, held for purposes of income, against damages or loss.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 319—An Act authorizing the insurance of all property of the University of California, held for purposes of income, against damages or loss.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bills Nos. 142, 159, 204, and 453—An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Committee Substitute for Senate Bills Nos. 142, 159, 204, and 453—An Act prescribing the manner of locating mining claims upon the

public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Read first time, and ordered on Senate special file.

RECESS.

At five o'clock and twenty minutes P. M., on motion of Mr. Wright, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M. Speaker Anderson in the chair.

MOTIONS.

Mr. Cobb moved that Assembly Bills Nos. 828, 463, and 907 be made special orders for to-morrow morning, immediately after reading of the Journal.

So ordered.

Mr. Dunlap moved that the first hour and a half of this evening's session be devoted to Ways and Means file.

Motion lost.

Mr. Johnson moved that the motion to reconsider the vote whereby Senate Bill No. 63 was refused final passage be continued until next legislative day.

So ordered.

Mr. Feliz moved that the motion to reconsider the vote whereby Senate Bill No. 442 was finally passed be continued until next legislative day.

So ordered.

Mr. McDonald of Alameda moved to reconsider the vote whereby Assembly Bill No. 867 was finally passed, and further moved to continue the motion to reconsider until next legislative day.

So ordered.

SPECIAL URGENCY FILE.

Assembly Bill No. 558—An Act making an appropriation for a concrete floor in the basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Blood, Boynton, Brown, Cargill, Clough, Cobb, Cosper, Cowan, Crowley, Dale, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raulb, Sanford, P. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries, and other places where machinery is used.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cosper, Cowan, Crowley, De Lancia, Devoto, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Miller of San Francisco, O'Brien, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Works—44.

NOES—Messrs. Beecher, Cargill, Dale, Dunlap, Jilson, Knights, Lardner, McDonald of Tuolumne, Merritt, Muenter, Raub, and Mr. Speaker—12.

Title read and approved.

Assembly Bill No. 627—An Act to amend Section 876 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Cobb, Cosper, Crowley, Dale, De Lancia, Devoto, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Raub, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—52.

NOES—None.

Title read and approved.

PETITION.

Mr. Johnson presented a petition, signed by Clarken & Moynahan and fifty-one others, praying the Assembly to pass Senate Bill No. 676 and Assembly Bill No. 920.

Read, and the fact ordered noted in the Journal.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 920—An Act to regulate the practice of electro-therapeutics in the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Atherton, Barry, Blood, Burnett, Cargill, Clough, Cosper, Fairweather, Glenn, Hoey, Jilson, Johnson, Knights, Le Baron, Mack, McDonald of Alameda, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, and Works—22.

NOES—Messrs. Arnerich, Beecher, Belshaw, Boynton, Brown, Cobb, Crowley, Dale, De Lancia, Dibble, Feliz, Griffin, Kenneally, Knowland, Lardner, Marvin, McDonald of Tuolumne, Miller of San Francisco, O'Brien, Radcliff, Robinson, Valentine, Wade, Wardell, and Wright—25.

CORRECTION OF ERROR.

Through error my vote on Assembly Bill No. 920 was recorded "aye" where I voted "no."

CARGILL

NOTICE OF MOTION TO RECONSIDER.

Mr. Cobb gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 920 was this day refused final passage.

TELEGRAPHIC COMMUNICATION.

SAN FRANCISCO, March 14, 1899

Speaker ANDERSON, Assembly Chamber, Sacramento

The Pacific Coast Waiters' Association, on behalf of the laboring men and women of California, sincerely thank the supporters of Senate Bill No. 487.

F. R. MOSS, President P. C. W. A.

Read, and ordered printed in the Journal.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional classrooms at the State Normal School at San José, and to provide for furnishing equipment and heating and ventilation apparatus therefor, and making appropriation for the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

A YES—Messrs Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Cowan, Crowley, Dale, De Lancia, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 22, 660, 138, 37, and 118.

Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to fill, sell, buy, or otherwise dispose of or traffic in any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon.

Assembly Bill No 660—An Act to amend Sections 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, and 647 of the Civil Code, and repealing Section 648 of the Civil Code, relating to mutual building and loan associations, and other similar corporations.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885, and to add two new sections thereto, all relating to the State Board of Dental Examiners, and regulating the practice of dentistry in this State.

Assembly Bill No. 37—An Act relating to certain contracts, conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Assembly Bill No 118—An Act to regulate the practice of horseshoeing in the State of California, providing for the registration of master and journeymen horseshoers, the appointment of a Board of Examiners, determining the powers and duties of such board, and fixing a penalty for violation of the provisions of the Act.

And were presented to the Governor March 14, 1899, at eight o'clock and forty minutes P. M.

RICKARD, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Mr. Cosper moved that Assembly Bill No. 443 (144 on file) and Assembly Bill No. 60 (189 on file) be transposed on the file.

So ordered.

Assembly Bill No. 60—An Act to amend Sections 163, 167, 174, 196, 200, 204 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Passed temporarily on file.

Assembly Bill No. 180—An Act to provide aid for the use and support of high schools in the State of California, by the levy of a rate of taxation, and the creation of a fund therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Cospér, Crowley, Dale, De Lancie, Dibble, Fairweather, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentér, O'Brien, Pierce, Radcliff, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 899—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Blood, Brooke, Brown, Caminetti, Cargill, Clough, Cowan, Crowder, Crowley, Dale, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentér, O'Brien, Radcliff, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

At nine o'clock and twenty-five minutes P. M., the Speaker called Mr. Belshaw to the chair.

NOTICE OF MOTION TO RECONSIDER.

Mr. Wright gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 899 was this day finally passed.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Assembly Bill No. 702 was withdrawn by author, and Senate Bill No. 524 substituted therefor.

Senate Bill No. 524—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts, the discharge of their indebtedness, and the distribution of their property in accordance with agreements between the creditors of the districts and property owners therein.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Brooke, Brown, Cargill, Clough, Cowan, Crowley, Dale, Dibble, Feliz, Glenn, Griffin, Hanley, Henry, Jilson, Johnson, Kenneally, Knights, Knowland, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Melick, Merrill, Milice, Miller of San Francisco, Muentér, O'Brien, Radcliff, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Melick gave notice that on next legislative day he would move a reconsideration of the vote whereby Senate Bill No. 524 was this day finally passed.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 757—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 21, 1872, by adding a new section thereto, to be known as Section 653½.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Caminetti, Clough, Cosper, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 314—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, and Wright—49.

NOES—None.

Title read and approved.

SPECIAL ORDER RESET.

Mr. Burnett moved that Assembly Bill No. 567, special order for this day, be continued and made special order for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 892—An Act to provide for the appointment of an unsalaried commission to investigate and report upon methods for the preservation of forests in this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Brown, Caminetti, Clough, Cobb, Cowan, Crowley, Dale, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Jilson, Johnson, Knights, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, and Works—44.

NOES—None.

Title read and approved.

Assembly Bill No. 825—An Act to provide for the organization and management of livestock insurance companies.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Clough, Cobb, Cowan, Crowley, Dale, Dibble, Fairweather, Feliz, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, and Wright—47.

NOES—None.

Title read and approved.

Assembly Bill No. 818—An Act to amend Section 833 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorders.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Boynton, Brooke, Brown, Caminetti, Cargill, Cobb, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Feliz, Griffin, Henry, Hoey, Johnson, Kelsey, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—47.

NOES—None.

Title read and approved.

Assembly Bill No. 852—An Act to establish a uniform standard of weights and measures; to divide the State into districts, appoint inspectors, define their duties, fix the rate of charges, and also the penalties for the violation of this Act.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Cobb, Crowley, Dibble, Dunlap, Griffin, Hoey, Johnson, Kenneally, McDonald of Alameda, McKeen, Merrill, O'Brien, Eugene Sullivan, Works, and Wright—18.

NOES—Messrs. Atherton, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Dale, Fairweather, Feliz, Glenn, Hanley, Kelsey, Knights, Le Baron, Lardner, Mack, McDonald of Tuolumne, Melick, Milce, Rickard, E. D. Sullivan, and Wade—25.

NOTICE OF MOTION TO RECONSIDER.

Mr. Rickard gave notice that on next legislative day he would move a reconsideration of the vote whereby Assembly Bill No. 852 was this day refused final passage.

Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning buildings, and other property not subject to arson, and specifying the penalty therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Blood, Brooke, Caminetti, Cargill, Clough, Cobb, Cowan, Dale, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kelsey, Knights, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of

Tuolumne, McKee, Melick, Milice, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—43.

NOES—Mr. Feliz—1.

Title read and approved.

Mr. Dibble moved that the Assembly do now consider messages from the Senate.

Motion carried, and it was so ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as cases of urgency) the following: Assembly Bill No 918—An Act to appropriate the sum of \$150 to pay the claim of Gonzales Tribune, for money due and owing the said Gonzales Tribune from the State of California.

Also: Assembly Bill No 968—An Act to appropriate the sum of \$150 to pay the claim of Williams Farmer, for money due and owing the said Williams Farmer from the State of California.

Also: Assembly Bill No. 848—An Act to appropriate the sum of \$100 to pay the claim of Events, for money due and owing the said Events from the State of California.

Also: Assembly Bill No 934—An Act to appropriate the sum of \$150 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Also: Assembly Bill No 974—An Act to appropriate the sum of \$114 to pay the claim of Fullerton Tribune, for money due and owing the said Fullerton Tribune from the State of California.

Also: Assembly Bill No. 929—An Act to appropriate the sum of \$150 to pay the claim of the Merced Star, for money due and owing the said Merced Star from the State of California.

Also: Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising the constitutional amendments for the year 1898.

Also: Assembly Bill No 856—An Act to appropriate the sum of \$350 to pay the claim of Appeal Publishing Company, for money due and owing the said Appeal Publishing Company from the State of California.

Also: Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassiday, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 801—An Act providing for the allowance and payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 843—An Act to appropriate the sum of \$150 to pay the claim of W. D. Pennycook, for money due and owing the said W. D. Pennycook from the State of California.

Also: Assembly Bill No. 900—An Act to appropriate the sum of \$175 to pay the claim of Shasta County Democrat, for money due and owing the said Shasta County Democrat from the State of California.

Also: Assembly Bill No. 969—An Act to appropriate the sum of \$100 to pay the claim of M. C. Duthicy, for money due and owing the said M. C. Duthicy from the State of California.

Also: Assembly Bill No. 881—An Act to appropriate the sum of \$175 to pay the claim of Trinity Journal, for money due and owing the said Trinity Journal from the State of California.

Also: Assembly Bill No. 872—An Act to appropriate the sum of \$100 to pay the claim of Phil B. Dankey, for money due and owing the said Phil B. Dankey from the State of California.

Also: Assembly Bill No. 876—An Act to appropriate the sum of \$300 to pay the claim of E. C. Rust, for money due and owing the said E. C. Rust from the State of California.

Also: Assembly Bill No 407—An Act to appropriate the sum of \$200 to pay the claim of the Capital, for money due and owing the said Capital from the State of California.

Also: Assembly Bill No 864—An Act to appropriate the sum of \$1,000 to pay the claim of California Demokrat, for money due and owing the said California Demokrat from the State of California.

Also: Assembly Bill No 891—An Act to appropriate the sum of \$120 to pay the claim of the Chico Daily Record, for money due and owing the said Chico Daily Record from the State of California.

Also: Assembly Bill No 904—An Act to appropriate the sum of \$150 to pay the claim of the Inyo Independent, for money due and owing the said Inyo Independent from the State of California.

Also: Assembly Bill No. 795—An Act to appropriate the sum of \$125 to pay the claim of F. B. Colver, for money due and owing the said F. B. Colver from the State of California.

Also: Assembly Bill No 915—An Act to appropriate the sum of \$135 to pay the claim of Clark & Sharp, for money due and owing the said Clark & Sharp from the State of California.

Also: Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of Town Talk Publishing Company against the State of California, and making appropriation therefor.

Also: Assembly Bill No. 785—An Act to appropriate the sum of \$100 to pay the claim of the Willows Promoter, for money due and owing the said Willows Promoter from the State of California.

Also: Assembly Bill No. 840—An Act to appropriate the sum of \$250 to pay the claim of A. A. Taylor, for money due and owing the said A. A. Taylor from the State of California.

Also: Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due and owing the said J. B. Sanford from the State of California.

Also: Assembly Bill No. 734—An Act to appropriate the sum of \$3,400 to pay the claim of San Francisco Call, for money due and owing the said San Francisco Call from the State of California.

Also: Assembly Bill No. 906—An Act to appropriate the sum of \$250 to pay the claim of Alfred Harrell, for money due and owing the said Alfred Harrell from the State of California.

Also: Assembly Bill No. 777—An Act to appropriate the sum of \$1,164 to pay the claim of James McClatchy & Co., for money due and owing the said James McClatchy & Co. from the State of California.

Also: Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Also: Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Also: Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due and owing the said J. L. Childs from the State of California.

Also: Assembly Bill No. 747—An Act to appropriate the sum of \$150 to pay the claim of the Mountain Messenger, for money due and owing the said Mountain Messenger from the State of California.

Also: Assembly Bill No. 958—An Act to appropriate the sum of \$225 to pay the claim of the Napu Journal, for money due and owing the said Napu Journal from the State of California.

Also: Assembly Bill No. 836—An Act to appropriate the sum of \$600 to pay the claim of Herald Publishing Company, for money due and owing the said Herald Publishing Company from the State of California.

Also: Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas M. Menihan, proprietor of the Steadsburg Enterprise, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 882—An Act to provide for the payment of \$180 to John McGonigle, proprietor of the Ventura Democrat, for the advertising of the constitutional amendments, and to make appropriation therefor.

Also: Assembly Bill No. 903—An Act to appropriate the sum of \$75 to pay the claim of Butchers and Stockgrowers' Journal, for money due and owing the said Butchers and Stockgrowers' Journal from the State of California.

Also: Assembly Bill No. 734—An Act to appropriate the sum of \$100 to pay the claim of E. M. Sehorn, for money due and owing the said E. M. Sehorn from the State of California.

Also: Assembly Bill No. 865—An Act to appropriate the sum of \$1,100 to pay the claim of W. A. Spaulding, for money due and owing the said W. A. Spaulding from the State of California.

Also: Assembly Bill No. 863—An Act to appropriate the sum of \$125 to pay the claim of Blue Lake Advocate, for money due and owing the said Blue Lake Advocate from the State of California.

Also: Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 918, 968, 848, 934, 974, 929, 890, 856, 799, 801, 843, 900, 969, 881, 872, 876, 407, 864, 891, 904, 795, 915, 809, 785, 840, 875, 734, 906, 777, 736, 885, 766, 747, 958, 836, 803, 882, 903, 784, 865, 863, and 790 ordered to enrollment.

MOTION.

Mr. Muentzer moved to reconsider the vote whereby the title to Assembly Bill No. 793 was approved.

Motion carried.

Mr. Muentner moved to amend the title to read as follows:

"An Act to amend Section 600 of an Act to establish a Penal Code, relating to and defining the offense of burning buildings and other property not subject to arson, and specifying the penalty therefor."

Amendment adopted.

Assembly Bill No. 793 ordered to print and reëngrossment.

ADJOURNMENT.

At ten o'clock and thirty-four minutes P. M., on motion of Mr. Knights, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, March 15, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 15, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called.

Pending roll call, Mr. Atherton moved a call of the House.

So ordered.

Mr. Kelsey moved that further proceedings under call of the House be dispensed with.

So ordered.

ROLL CALL—(RESUMED).

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lencie, Devoto, Dibble, Fairweather, Glenn, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—62.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Tuesday's Journal, the further reading was dispensed with, on motion of Mr. Kelsey.

The Journal of Monday, March 13, 1899, was read and approved.

SPECIAL ORDERS.

Assembly Bill No. 828—An Act making an appropriation to pay the

claim of the Argus Publishing Company, for advertising constitutional amendments.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of San Francisco, Pierce, Radcliff, Raub, Robinson, Sanford, Eugene Sullivan, Valentine, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, proprietor of the Ventura Independent, for advertising constitutional amendments, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Jilson, Kelley, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of San Francisco, Radcliff, Raub, Robinson, Sanford, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal of Alameda, California, for advertising constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Hoey, Jilson, Kelley, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raub, Sanford, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Dunlap moved to take up Assembly Bill No. 846 out of order, for third reading.

So ordered.

Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Knights, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of Los Angeles, Miller of San Francisco, Raub, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 318—An Act appropriating the sum of \$2,345 75 to pay the claim of Messrs. Goodall, Perkins & Co. against the State of California, for the loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Senate Bill No. 318 ordered on Senate special file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 883—An Act making an appropriation to pay the claim of the American Type Founder's Company, as an assignee, for publishing the proposed constitutional amendments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 421—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Also: Assembly Bill No. 475—An Act to pay the claim of J. W. Newbert against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 981—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Also: Assembly Bill No. 499—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Also: Assembly Bill No. 522—An Act making an appropriation to pay the claim of the Union Mill Company, for services in constructing a refrigerator for the Southern California Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 16—An Act making an appropriation to pay the claim of Lawrence Stevens, for the apprehension and conviction of Ivan Kovalow, the murderer of the Weber family at Sacramento, State of California.

Also: Assembly Bill No. 614—An Act to pay the claim of the Liverpool and London and Globe Insurance Company against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 898—An Act to appropriate the sum of \$2,100 to pay the claim of James A. Devoto, assignee of E. Patrizi and G. Almagia, for money due and owing the said James A. Devoto, assignee as aforesaid, from the State of California.

Also: Assembly Bill No. 971—An Act making an appropriation to pay the claim of Le Franco-Californien for advertising constitutional amendments for the year 1894.

Also: Assembly Bill No. 919—An Act to appropriate the sum of \$2,500 to pay the claim of Mrs. Lucy Underwood McCann, for money due and owing the said Lucy Underwood McCann from the State of California.

Also: Assembly Bill No. 626—An Act to pay the claim of Frank D. Cobb against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 959—An Act to appropriate the sum of \$183 55 to pay the claim of Morris Brooke.

Have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman.

Assembly Bills Nos. 883, 421, 475, 981, 499, 522, 16, 614, 898, 971, 919, 626, and 959 ordered on second-reading file.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 564—An Act to pay the claim of Louis Gerlach against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 579—An Act making an appropriation to pay the claim of D. L. Blanchard, for supplying provisions to a company of United States cavalry known as Captain Ramon Pico's Company, during the War of the Rebellion, for \$1,587.

Have had the same under consideration, and respectfully report the same back without recommendation.

WILLIAM McDONALD, Chairman

Assembly Bills Nos. 564 and 579 ordered on second-reading file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 360—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns in the State of California,' approved March 26, 1895," amended March 27, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

RAW, Chairman.

Senate Bill No. 360 ordered on Senate special file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 735—An Act to provide for the payment for the advertising of constitutional amendments, and making an appropriation therefor.

Also: Assembly Bill No. 748—An Act making an appropriation to pay the claim of the Capital, for advertising constitutional amendments.

Also: Assembly Bill No. 749—An Act making an appropriation to pay the claim of the Sierra Valley Record, for advertising constitutional amendments.

Also: Assembly Bill No. 751—An Act making an appropriation to pay the claim of the Daily Morning Union, for advertising constitutional amendments.

Also: Assembly Bill No. 752—An Act making an appropriation to pay the claim of the Daily Transcript, for advertising constitutional amendments.

Also: Assembly Bill No. 760—An Act making an appropriation to pay the claim of the Tribune Publishing Company, for advertising constitutional amendments.

Also: Assembly Bill No. 761—An Act making an appropriation to pay the claim of the Sun, for advertising constitutional amendments.

Also: Assembly Bill No. 762—An Act making an appropriation to pay the claim of the Record, for advertising constitutional amendments.

Also: Assembly Bill No. 763—An Act making an appropriation to pay the claim of the Report, for advertising constitutional amendments.

Also: Assembly Bill No. 767—An Act making an appropriation to pay the claim of the San Francisco Chronicle, for advertising constitutional amendments for the year 1898.

Also: Assembly Bill No. 768—An Act making an appropriation to pay the claim of Colnon & Nunan, publishers of the Stockton Mail, for advertising constitutional amendments.

Also: Assembly Bill No. 769—An Act making an appropriation to pay the claim of J. L. Phelps & Company, publishers of the Stockton Daily Independent, for advertising constitutional amendments.

Also: Assembly Bill No. 773—An Act making an appropriation to pay the claim of Mark R. Plaisted, for publishing proposed constitutional amendments.

Also: Assembly Bill No. 774—An Act making an appropriation to pay the claim of the Sacramento Publishing Company, publishers of the Record-Union, for advertising constitutional amendments.

Also: Assembly Bill No. 782—An Act making an appropriation to pay the claim of the Sutter Publishing Company, for advertising constitutional amendments.

Also: Assembly Bill No. 783—An Act making an appropriation to pay the claim of William O'Brien, for advertising constitutional amendments.

Also: Assembly Bill No. 791—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising constitutional amendments for the year 1898.

Also: Assembly Bill No. 792—An Act making an appropriation to pay the claim of the Record Publishing Company, for advertising constitutional amendments.

Also: Assembly Bill No. 796—An Act to provide for the payment of \$51 to C. H. Eberle, proprietor of the Downey Champion, for the advertising of constitutional amendments, and to make appropriation therefor.

Also: Assembly Bill No. 797—An Act to provide for the allowance and payment of the claim of R. E. Baer against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 798—An Act providing for the allowance and payment of the claim of H. H. Grance, of the Sonoma Index-Tribune, against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 800—An Act providing for the allowance and payment of the claim of F. W. Cooke against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 802—An Act providing for the allowance and payment of the claim of the Press-Democrat Publishing Company against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 804—An Act to appropriate the sum of \$630 to pay the claim of Ben M. Maddox, for money due and owing the said Ben M. Maddox from the State of California.

Also: Assembly Bill No. 805—An Act to appropriate the sum of \$300 to pay the claim of F. V. Dewey, for money due and owing the said F. V. Dewey from the State of California.

Also: Assembly Bill No 806—An Act making an appropriation to pay the claim of the Marin County Tocsin, for advertising constitutional amendments for the year 1898.

Also: Assembly Bill No 982—An Act to appropriate the sum of \$132 18 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Also: Assembly Bill No 983—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun, for money due and owing the said Scott Calhoun from the State of California.

Also: Assembly Bill No. 984—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett, for money due and owing the said M. G. Barrett from the State of California.

Also: Assembly Bill No 820—An Act making an appropriation to pay the claim of L'Italia, for advertising constitutional amendments.

Also: Assembly Bill No. 821—An Act making an appropriation to pay the claim of the Redwood City Democrat, for advertising constitutional amendments.

Also: Assembly Bill No. 826—An Act to appropriate the sum of \$175 to pay the claim of Robert Nixon, for money due and owing the said Robert Nixon from the State of California.

Also: Assembly Bill No 827—An Act to provide for the payment of \$400 to Ed E. Leake, proprietor of the Woodland Democrat, for the advertising of constitutional amendments, and to make an appropriation therefor.

Also: Assembly Bill No 835—An Act to pay the claim of the News Publishing Company, for official advertising.

Also: Assembly Bill No 838—An Act to provide for the payment of the claim of the Labor Advocate, for the advertising of constitutional amendments, and making an appropriation therefor.

Also: Assembly Bill No 844—An Act making an appropriation to pay the claim of River News, for advertising constitutional amendments.

Also: Assembly Bill No. 849—An Act to pay the claim of the Oakland Enquirer Publishing Company, and making an appropriation therefor.

Also: Assembly Bill No. 850—An Act to appropriate the sum of \$2,100 to pay the claim of the Italia Publishing Company, for money due and owing the said Italia Publishing Company from the State of California.

Also: Assembly Bill No 671—An Act for the relief of Hugo Duveneck, executor of the last will of Sigmund M. Thannhauser, deceased, for moneys paid through error by him as a tax on certain collateral bequests provided for in said will.

Also: Assembly Bill No 816—An Act making an appropriation to pay the claim of J. W. Travers, assignee of the Alameda Daily Evening Enquirer, for advertising constitutional amendments for the year 1896.

Also: Assembly Bill No. 817—An Act making an appropriation to pay the claim of H. B. Martin & Son, proprietors of the San Bernardino Evening Transcript, for publishing constitutional amendments.

Also: Assembly Bill No 857—An Act making an appropriation to pay the claim of the Daily and Weekly Sentinel, for advertising constitutional amendments.

Also: Assembly Bill No 858—An Act making an appropriation to pay the claim of the Daily and Weekly News, for advertising constitutional amendments.

Also: Assembly Bill No 866—An Act making an appropriation to pay the claim of the San Diego Vidette, for advertising constitutional amendments.

Also: Assembly Bill No. 901—An Act making an appropriation to pay the claim of the Alturas Plaindealer, for advertising constitutional amendments for the year 1898.

Also: Assembly Bill No. 902—An Act making an appropriation to pay the claim of the Hollister Bee, for advertising constitutional amendments for the year 1898.

Also: Assembly Bill No 910—An Act making an appropriation to pay the claim of the Contra Costa Gazette, for publishing constitutional amendments for the year 1898.

Also: Assembly Bill No. 912—An Act to provide for the payment of advertising constitutional amendments by the Vacaville Reporter, and making an appropriation therefor.

Also: Assembly Bill No. 913—An Act to provide for the payment of advertising constitutional amendments by the Vallejo Times, and making an appropriation therefor.

Also: Assembly Bill No. 923—An Act making an appropriation to pay the claim of the Fresno Evening Democrat, for advertising constitutional amendments.

Also: Assembly Bill No. 927—An Act to provide for the payment for the advertising of constitutional amendments, and making an appropriation therefor.

Also: Assembly Bill No 948—An Act making an appropriation to pay the claim of L. F. Chapin, proprietor of the Santa Ana Standard, a newspaper printed and published in the City of Santa Ana, County of Orange, State of California, for advertising constitutional amendments prior to the general election of 1898.

Also: Assembly Bill No. 953—An Act making an appropriation to pay the claim of the Daily Independent, for advertising constitutional amendments.

Also: Assembly Bill No. 972—An Act making an appropriation to pay the claim of Le Franco-Californien, for advertising constitutional amendments for the year 1898.

Also: Assembly Bill No 973—An Act making an appropriation to pay the claim of La Voce del Popolo, for advertising constitutional amendments for the year 1894.

Also: Assembly Bill No. 975—An Act to appropriate the sum of \$357 to pay the claim of Santa Ana Standard, for money due and owing the said Santa Ana Standard from the State of California, for printing constitutional amendments in the Santa Ana Standard.

Also: Assembly Bill No. 976—An Act making an appropriation to pay the claim of the Colusa Sun Publishing Company, publishers of the Colusa Sun, for advertising constitutional amendments.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw them.

VALENTINE, Chairman.

Mr. Dibble moved that all the foregoing newspaper claim bills be stricken from the files.

Motion carried.

MOTION.

Mr. Mack moved to take up report of select committee *in re* G. W. Ficks, contempt proceedings, presented yesterday, ordered printed in Journal, and made special order for to-day.

So ordered.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your special committee of three, appointed in pursuance of the following resolution, to wit:

Resolved, That the Speaker appoint a select committee of three to take testimony and report the facts in connection with the arrest of George W. Ficks, for interfering with the Sergeant-at-Arms, and obstructing the process of the House; that the Speaker assign one of the official stenographers to report the testimony, and one of the committee clerks to act as clerk of said committee;

Resolved, That the committee be given power to send for persons and papers,

Resolved, That said committee be instructed to ascertain and report whether any member of the House advised or instructed said Ficks to interfere with or obstruct the process of the House in any way,

Resolved, That the committee be instructed to report on Friday next.

Beg leave to report as follows. We have fully and carefully examined witnesses on behalf of the Assembly and the defendant, and find that on the night of the 7th inst., during a call of the House, it was found that several members of the Assembly were absent, and a warrant for their arrest, properly signed by the Speaker and Chief Clerk, was duly issued and handed to the Sergeant-at-Arms for service. Subsequent thereto three Assistant Sergeants-at-Arms visited the Clunie Opera House, in the City of Sacramento, for the purpose of executing said warrant of arrest. Upon their arrival at the theater, the manager thereof, Mr. George W. Ficks, the defendant, was informed of the object of their visit.

They were admitted to the theater at a time when the curtain was up, the house darkened, and the play in progress. The officers awaited the fall of the curtain between the third and fourth acts, with the expectation that the lights would be turned on between said acts. The testimony shows that the lights were not turned on between those acts, as is customary between acts at this theater. The officers made an examination of the theater in search of the missing Assemblymen, but did not discover any, owing to the semi-darkness prevailing in the theater, as was testified to by the officers.

It is the uncontradicted testimony of Mr. Ficks that on the night of the 7th inst. a visiting company, with its stage manager, had absolute control of the lights, and that he had no authority either to turn on or turn off the lights during that night, while the visiting company had charge of the stage. Mr. Ficks testified that he did not request or order that the lights should not be turned on between said acts, and that he does not know the reason why they were not turned on.

We were unable to secure the attendance of the stage manager of the visiting company, and therefore we have the unimpeached testimony that Mr. Ficks did not interfere in any manner whatever with the lights in the theater on that occasion.

We also find that no member of this House advised or instructed said Ficks to interfere with or obstruct the process of the Assembly in any manner whatsoever.

Wherefore, your committee finds that the testimony in this matter shows that Mr. George W. Ficks is not guilty of the charge of contempt of this Assembly, and we recommend the dismissal of the proceedings against him, and further recommend that your committee be discharged.

MACK,
E D SULLIVAN,
CLOUGH,
Committee

Mr. Conrey moved that the report be adopted and the committee discharged.

So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Substitute for Assembly Bill No. 22—An Act to add a new section to the Penal Code, to be distinguished as Section 354½, making it a misdemeanor to sell or traffic in or reutil any cask, keg, bottle, vessel, siphon, can, case, or other package bearing the duly filed trademark or name of another, printed, branded, stamped, engraved, etched, blown, or otherwise attached or produced thereon.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1899. }

To the Assembly of the State of California.

I herewith return to your honorable body, without my approval, Assembly Bill No. 351, with my objections thereto.

This bill attempts to amend Sections 8 and 10 of the Act approved March 11, 1897, relative to the Veterans' Home in Yountville, Napa County. By the amendments in this bill it is sought to turn over to the Treasurer of the home all money received from the Federal Government, to be controlled by the managers of said institution.

This home is now a State institution, and directly under State control, and all money for its support should be directly handled by the State Treasurer, and all claims should be approved by the Board of Examiners, and after approval warrants should be drawn in payment therefor by the Controller upon the fund set apart for the support of the home.

This method would insure economy, and is itself in harmony with the Act of Congress approved August 27, 1888 (U. S. Statutes at Large, 1888, Chap. 914, p. 450), which provides that the money appropriated by the Federal Government for the support of such homes shall be paid directly to the State and not to the home.

For the foregoing reason, I disapprove of the bill.

HENRY T. GAGE,
Governor of the State of California.

CONSIDERATION OF GOVERNOR'S VETO.

Assembly Bill No. 351—An Act to amend Sections 8 and 10 of an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in, the State of California to the tract of land in Napa County, known as the Veterans' Home, with the improvements and furnishings thereon; to make the same a State home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Messrs Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cosper, Dale, Dibble, Fairweather, Feliz, Griffin, Hanley, Hoey, Huber, Jilson, Kelley, Kelsey, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—51.

MOTION.

Mr. Beecher moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows:

An Act to amend Section 186 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce the same. The numbers of said bills are as follows: 1009 and 1010.

COBB, Chairman.

The question being on the suspension of the provision of the Constitution to allow the introduction of bills.

The roll was called, and the provision of the Constitution suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Clark, Cobb, Courey, Cosper, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeon, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Radcliff, Raulb, Raw, Rickard, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—54.

NOES—None.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Cowan: Assembly Bill No. 1009—An Act to amend Sections 163, 167, 174, 196, 200, and 204 of "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, ordered rushed to print, and made special order for to-morrow.

By Mr. Beecher: Assembly Bill No. 1010—An Act to amend Section 186 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, ordered rushed to print, and made special order for to-morrow.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers—report the same back, with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 723—An Act to prohibit trespassing on locomotives, engines, freight or passenger cars or trains, and to provide a punishment therefor—report the same back, with two amendments, and recommend its passage as amended.

Also: Assembly Bill No. 725—An Act to amend Sections 1726 and 1732 of the Code of Civil Procedure of the State of California, relating to the duties of Public Administrator—report the same back, and recommend that it do not pass.

Also: Senate Bill No. 450—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878—report the same back, with three amendments, and recommend its passage as amended.

Also: Senate Bill No. 522—An Act to provide for the advertising of the constitutional amendments, and to make an appropriation therefor—a majority report the same back, and recommend that it do pass.

Also: Senate Bill No. 438—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the administration and disposition of the

assets of a deceased copartner—report the same back, with one amendment, and recommend its passage as amended.

Also: Senate Constitutional Amendment No. 22—Relating to the judiciary, and establishing Courts of Appeal—report the same back, with amendments, and recommend its passage as amended.

JOHNSON, Chairman

Mr. Johnson moved that bills just returned from Committee on Judiciary be now taken up for second reading.

So ordered.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers.

Resolution read.

The following committee amendment was submitted:

Amend by striking out all from the word "by" in line 9, page 2, printed resolution, to the word "population" in line 11, page 2, printed resolution (both inclusive), and inserting in lieu thereof the word "provide."

Amendment adopted.

Senate Constitutional Amendment No. 21 ordered to print and engrossment.

Assembly Bill No. 723—An Act to prohibit trespassing on locomotives, engines, freight or passenger cars or trains, and to provide a punishment therefor.

Read second time.

The following committee amendments were submitted:

Amend by striking out Sections 3 and 5, and renumber "Sec. 4," so as to read and be "Sec. 3."

Amendment adopted.

Also: Amend by striking out the word "convinced," in line 1, Section 4, page 2, printed bill, and inserting in lieu thereof the word "convicted."

Amendment adopted.

Assembly Bill No. 723 ordered to print, engrossment, and third reading.

Assembly Bill No. 725 ordered on second-reading file.

Senate Bill No. 450—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the title after "An Act," and inserting the following:

"To amend section nine (9) of an Act entitled 'An Act creating a Board of Bank Commissioners, and prescribing their duties and powers,' approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word "seventy-eight," in line 3, Section 1, the following: "and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners"

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of Section 1, lines 6, 7, 8, and 9, the words "every savings bank, or bank, or banking corporation, doing business in this State, if incorporated

before the passage of this Act and every savings bank, or bank, or banking corporation, hereafter to be incorporated," and inserting the following: "any corporation mentioned in Section 3 of this Act, including banks in liquidation or insolvency."

Amendment adopted.

Senate Bill No. 450 ordered to print, engrossment, and third reading.

Senate Bill No. 522—An Act to provide for the advertising of constitutional amendments, and to make an appropriation therefor.

Read second time, and ordered to third reading.

Senate Bill No. 438—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the administration and disposition of the assets of a deceased copartner.

Read second time.

The following committee amendment was submitted:

Amend by striking out all after the enacting clause and inserting the following:

"SECTION 1. Section 1585 of the Code of Civil Procedure is hereby amended so as to read as follows:

"Section 1585. When a partnership exists between the decedent, at the time of his death, and any other person, the surviving partner has the right to continue in possession of the partnership, and to settle its business, but the interest of the decedent in the partnership must be included in the inventory, and be appraised as other property. The surviving partner must settle the affairs of the partnership without delay and account with the executor or administrator, and pay over such balances as may from time to time be payable to him, in right of the decedent. Upon the application of the executor or administrator, the court, or a judge thereof, may, whenever it appears necessary, order the surviving partner to render an account, and in case of neglect or refusal may, after notice, compel it by attachment, and the executor or administrator may maintain against him any action which the decedent could have maintained. Immediately upon the death of a partner, the surviving partner shall forthwith prepare a complete verified inventory of all the partnership property, rights, credits, moneys, and effects, appraised by such partner at its true value, and file the same with the County Clerk of the county in which the business is conducted. Upon the filing of the said inventory, the court may, upon application of the executor or administrator, order the surviving partner to give a bond in at least double the amount of the interest of said deceased in the partnership assets as shown by said inventory, for the proper performance of his duty in settling up the business of said partnership."

Amendment adopted.

Senate Bill No. 438 ordered to print, engrossment, and third reading.

Senate Constitutional Amendment No. 22—Relating to the judiciary, and establishing Courts of Appeal.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting after the word "and," in line 107, page 6, printed resolution, the words "the Supreme Court."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "section twenty-four is hereby annulled," in line 1, Section 24, page 9, printed resolution, and insert in lieu thereof as follows: "No Judge of the Supreme Court, nor of a District Court of Appeals, nor of a Superior Court, shall draw or receive any monthly salary unless he shall take and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court remains undecided that has been submitted for decision for the period of ninety days."

Amendment adopted.

AMENDMENT No. 3.

Amend the title so as to read as follows:

"Senate Constitutional Amendment No. 22—To propose to the people of the State of California, amending the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 18, 21, 23, and 24 of Article VI thereof, relating to the judiciary and establishing Courts of Appeal."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out from the word "or," in line 34, Section 2, page 2, printed resolution, to the word "States," in line 41, Section 2, page 3, printed resolution, both inclusive, and inserting in lieu thereof the words "or where is necessarily drawn in question the validity of the Constitution or any statute of or authority exercised under this State on the ground of being repugnant to the Constitution or laws of the United States; or where is necessarily drawn in question the validity of any statute of or authority exercised under this State on the ground of being repugnant to the Constitution of this State.

Amendment adopted.

RESOLUTIONS.

By Mr. Knowland:

Resolved, That the Governor be respectfully requested to return to the House Assembly Bill No. 292 for the purpose of correction.

Resolution adopted.

By Mr. Kelley:

WHEREAS, C. Wright, who is acting as extra engineer, is and has been working overtime by reason of the elevator service having been extended to eleven o'clock of each night, and is therefore compelled to make the necessary repairs to the elevator and engine after the elevator service has closed down at night, and is also compelled to work on Sundays, all to the end that the elevator service may not be interrupted during the daily and nightly sessions of the Assembly; and

WHEREAS, By reason of his services in making such repairs he has saved the State a large sum of money, which amount would necessarily have had to be expended had a less zealous or competent man been employed in his stead; therefore, be it

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of said C. Wright for the sum of \$78 (being \$2 per day from February 1 to March 11, 1899), and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly

Read, and referred to Committee on Attachés and Employés.

By Mr. Knights:

Resolved, That Assembly Bills Nos. 666 and 667 be made special orders for to-morrow morning immediately after reading of the Journal

Resolution adopted.

By Mr. Raw:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of \$168, and the Treasurer is instructed to pay the same from the Contingent Fund of the Assembly, in favor of Miss M. Peterson, for her services as clerk of Committee on Municipal Corporations, from February 1 to March 14, 1899, inclusive.

Referred to Committee on Attachés and Employés.

By Mr. Milice:

WHEREAS, The outbreak lately attempted at San Quentin Prison led to the discovery of implements in the possession of the convicts, which were placed on the prison grounds by outsiders; and

WHEREAS, Opium and other articles have and do, in like manner, come into the possession of prisoners; and

WHEREAS, The close proximity of the said prison to one third of the population of the State, and the cheapness with which people can reach it, is responsible for the condition above referred to; and

WHEREAS, Many changes, involving large expenditures, will have to be made before many years if said prison is to be maintained; and

WHEREAS, A public institution of that character should have an extensive tract of land, and should be at a distance from large centers of population; and

WHEREAS, Such land should be of the character and fertility to enable such institution to produce vegetables for the inmates and feed for the stock, and thus reduce the cost of maintenance thereof; and

WHEREAS, There is very little land at said prison for such purposes; and

WHEREAS, The land now owned by the State at said prison has become valuable and can be disposed of to advantage; and

WHEREAS, The time is fast approaching when another site will have to be selected; therefore, be it

Resolved by the Senate and Assembly, jointly, That the Governor, State Treasurer, and

Attorney-General be and they are hereby authorized to consider the matters herein-before referred to, and report to the next session of the Legislature what, if anything, ought to be done concerning the establishment of a new prison, and the gradual removal of the San Quentin Prison, and, also, to make such recommendation concerning the location of such new prison as the interests of the State and the economical and safe administration thereof may demand.

Read, and referred to Committee on State Prisons and Reformatory Institutions, with instructions to report to-morrow.

By Mr. Mead:

Resolved, That Assembly Bill No. 441 (406 on file) be returned to the Senate for further action.

Resolution adopted.

CONSIDERATION OF SENATE AMENDMENTS.

Mr. Valentine moved that the Assembly do now take up Assembly Bills Nos. 62, 249, and 554 for consideration of Senate amendments.

So ordered.

Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Mr. Valentine moved that the Assembly do now concur in the following Senate amendments:

AMENDMENT No. 1.

In line 1, Section 3, printed bill, strike out the word "twenty," and insert in lieu thereof the word "thirty."

AMENDMENT No. 2.

After the word "hundred," line 14, Section 1, printed bill, insert the following: "and for preparing and printing literature descriptive of the State of California, its resources, industries, and capabilities, for distribution at said exposition."

AMENDMENT No. 3

After the word "California," in line 8, Section 3, printed bill, insert the following: "to prepare, print, and distribute literature as provided in Section 1 of this Act."

AMENDMENT No. 4.

Strike out all of line 10, Section 3, after the word "attendants," and all of lines 11 and 12, and insert in lieu thereof the following: "the sum of twenty-five thousand dollars of the amount by this Act appropriated shall be available immediately after the passage of this Act, and the remaining one hundred and five thousand dollars thereof shall not be paid and shall not become available until."

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Conrey, Crowder, Dale, Devoto, Dubble, Feliz, Griffin, Hanley, Jilson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Wright, and Mr. Speaker—43.

NOES—Mr. Clough—1.

Assembly Bill No. 62 ordered to enrollment.

Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

Mr. Melick moved that the Assembly do non-concur in the Senate

amendments, and that the Assembly appoint a conference committee and advise the Senate of its action.

Motion carried.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed as such conference committee Messrs. Melick, Milice, and Crowder.

Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State received by various State institutions, commissions, and officers, and directing the disposition of the same.

Mr. Valentine moved that the Assembly do now concur in the following Senate amendments:

Amend by adding "ing" to "belong" in line 1, Section 1.

Also: Amend by striking out the word "or" in line 3, Section 1.

Also: Strike out all of Section 1 after "treasury" in line 33.

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Clark, Clough, Conrey, Cosper, Dale, De Lancie, Devoto, Dunlap, Fairweather, Feliz, Glenn, Griffin, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Melick, Milice, Miller of Los Angeles, Miller of San Francisco, Raub, Raw, Sanford, Eugene Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—49.

NOES—Mr. Crowder—1.

Assembly Bill No. 554 ordered to enrollment.

Mr. Miller of Los Angeles moved that the Assembly do now take up for final passage Senate Bill No. 337.

So ordered.

Senate Bill No. 337—An Act to add a new section to the Penal Code of the State of California.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Cobb, Conrey, Cosper, Crowder, Dale, De Lancie, Devoto, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Radcliff, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Mr. Brown moved to reconsider the vote whereby Assembly Bill No. 899 was finally passed, and further moved to lay the motion to reconsider on the table.

So ordered.

MOTION TO RECONSIDER.

Mr. Belshaw moved to reconsider the vote whereby Senate Bill No. 320 was finally passed, and further moved to lay the motion to reconsider on the table.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report

that the following has been correctly engrossed: Assembly Bill No. 1005—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed: Assembly Bills Nos. 443 and 681.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890.

RICKARD, Chairman.

Assembly Bills Nos. 443 and 681 ordered on file for final passage.

SPECIAL ORDERS.

Assembly Bill No. 608 (Substitute for Assembly Bill No. 422)—An Act to amend Sections 1 and 2 of an Act entitled "An Act entitled 'An Act to form agricultural districts, to provide for formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal all Acts and parts of Acts in conflict with this Act,' approved March 31, 1897," relating to the classification of counties into agricultural districts.

Passed on file.

Mr. Hoey moved to take up, out of order, Assembly Bill No. 443 for consideration.

So ordered.

Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$20,000.

Title read and approved.

Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Passed on file.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, proprietor of the Ventura Independent, for advertising constitutional amendments, and to make an appropriation therefor.

Passed on file.

Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal of Alameda, California, for advertising constitutional amendments.

Passed on file.

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed.

Passed on file.

Assembly Bill No. 1005—An Act to amend Sections 162 and 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

Mr. Brooke moved that a select committee of one be appointed to amend Assembly Bill No. 1005 as follows:

By striking out the following: Beginning at the word "in," in line 37, on page 5 of the printed bill, down to and including the word "paid," on line 42, page 5, printed bill.

Motion lost.

Mr. Brooke moved that a select committee of one be appointed to amend Assembly Bill No. 1005 as follows:

By striking out the following: Beginning at the word "in," in line 44, page 5, printed bill, down to and including the word "paid," in line 49, page 5, printed bill.

Motion lost.

Mr. Brooke moved that a select committee of one be appointed to amend Assembly Bill No. 1005 as follows:

By striking out the following: Beginning with the word "and," in line 56, page 5, printed bill, down to and including the word "passage," in line 68, page 5, printed bill.

Motion lost.

Mr. Brooke moved that a select committee of one be appointed to amend Assembly Bill No. 1005 as follows:

By striking out the following: Beginning with the word "and" in line 90, page 6, printed bill, down to and including the word "officers" in line 95, page 6, printed bill.

Motion lost.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Americh, Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Brooke, Brown, Carrill, Chynoweth, Clark, Cobb, Courey, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Feliz, Glenn, Hoey, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Raub, Raw, Rickard, Robinson, Eugene Sullivan, Wade, Works, Wright, and Mr. Speaker—47.

NOES—Mr. E. D. Sullivan—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Brooke gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 1005 was this day finally passed.

SPECIAL ORDERS.

Assembly Bill No. 1006—An Act to create a Department of Public Works, to define the powers and duties thereof and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof.

Passed on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Passed on file.

Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners.

Amendment read.

The following committee amendment was submitted:

Amend by adding after the word "repealed," in line 7, page 1, printed bill, the words

"provided, that this amendment shall not take effect until January first, nineteen hundred and three."

Amendment adopted.

Assembly Constitutional Amendment No. 4 ordered to print and engrossment.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 22.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Article IV, Section 33 thereof, relating to the regulation of charges of telephone corporations.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, eighteen hundred and ninety-nine, two thirds of all the members elected to each house concurring and voting in favor thereof, hereby proposes that Article IV, Section 33 thereof, be amended to read as follows, to wit:

Section 33 The Legislature shall pass laws for the regulation and limitation of the charges for service performed and commodities furnished by telegraph, telephone, and gas corporations, and the charges by corporations or individuals for storage and wharfage, in which there is a public use; and wherelaws shall provide for the selection of any person or officer to regulate and limit such rates, no such person or officer shall be selected by any corporation or individual interested in the business to be regulated, and no person shall be selected who is an officer or stockholder in any such corporation.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 22 adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Conrey, Cosper, Crowder, Crowley, Dale, De Lancia, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Constitutional Amendment No. 22 ordered to engrossment.

MOTION.

Mr. E. D. Sullivan moved that the Assembly do now take up Assembly Constitutional Amendment No. 21 for consideration.

So ordered.

WITHDRAWAL AND SUBSTITUTION OF CONSTITUTIONAL AMENDMENT.

Assembly Constitutional Amendment No. 21 withdrawn by author, and Senate Constitutional Amendment No. 14 substituted therefor.

SENATE CONSTITUTIONAL AMENDMENT NO. 14.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII, by adding a new section thereto, to be known as Section 1½, relating to the exemption from taxation of all bonds issued by the State of California, or by any county, city, city and county, town, municipality, municipal corporation of any sort, or district (including school, reclamation, and irrigation districts) within said State.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, eighteen hundred and ninety-nine, two thirds of all members elected to each house concurring, hereby proposes that article thirteen of the Constitution of said State be amended by adding thereto a new section, to be known as section number one and three fourths, which shall read as follows, to wit:

Section 1½. All bonds hereafter issued by the State of California, or by any county, city and county, municipal corporation, or district (including school, reclamation, and irrigation districts) within said State, shall be free and exempt from taxation.

Constitutional amendment read.

The question being on the adoption of Senate Constitutional Amendment No. 14.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Cargill, Chynoweth, Cobb, Conrey, Cosper, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, Works, Wright, and Mr Speaker—56

NOES—Mr. Wade—1

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 15, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Royce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, Leavitt, Luchsing, Maggard, Morehouse, Nutt, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—36.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—78.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Tuesday, March 14, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Tuesday, March 14, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For Stephen M. White—Senator Prisk—1.

For Frank H. Gould—Senators Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, and Sims—7.

For James D. Phelan—Senator Hall—1.

For Samuel Braunhart—Senator Ashe—1.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
Stephen M. White received	1 vote.
Frank H. Gould received	7 votes.
James D. Phelan received	1 vote.
Samuel Braunhart received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.

For Irving M. Scott—Messrs. Cosper and Dunlap—2.

For Marion De Vries—Mr. Brooke—1.

For Frank H. Gould—Messrs. Boone, Caminetti, Cowan, Fairweather, Glenn, Griffin, Hanley, Hoey, Mack, Mead, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.

For John Rosenfeld—Mr Crowley—1.

For James D. Phelan—Mr Burnett—1.

For James G. Maguire—Mr. Feliz—1.

Whole number of votes cast by Assemblymen.....	77
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	19 votes.
U. S. Grant, Jr., received	21 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
Frank H. Gould received	15 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.
James G. Maguire received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	113
Necessary to a choice.....	57
W. H. L. Barnes received	22 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr, received	29 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	1 vote.
Stephen M. White received	1 vote.
Frank H. Gould received	22 votes.
James D. Phelan received	2 votes.
Samuel Braunhart received	1 vote.
James G. Maguire received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M., Assemblyman Dibble moved to adjourn until Thursday, March 16, 1899, at twelve o'clock M. Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Thursday, March 16, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and twenty-six minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

MOTION.

Mr. Mack moved that Committee Substitute for Senate Bills Nos. 142, 159, 204, and 453 be now taken up for second reading.

Committee Substitute for Senate Bills Nos. 142, 159, 204, and 453—
An Act prescribing the manner of locating claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Read second time, and ordered to third reading.

SENATE SPECIAL FILE.

Senate Bill No. 272—An Act making an appropriation to pay the claim of the San Francisco Bulletin, for advertising constitutional amendments for the year 1896.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Burnett, Cargill, Clough, Cobb, Conrey, Crowley, Dale, De Lancie, Devoto, Dibble, Felz, Greenwell, Griffin, Hanley, Hoey, Huber, Kelsey, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, Muentner, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wardell, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly engrossed: Assembly Constitutional Amendment No. 22—Relative to the regulation of charges of telephone corporations.

RICKARD, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 560—An Act to appropriate the sum of \$175 to pay the claim of National Bulletin, for money due and owing the said National Bulletin from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Crowley, Dale, De Lancie, Dibble, Dunlap, Felz, Greenwell, Hanley, Hoey, Huber, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Bill No. 599—An Act to appropriate the sum of \$3,400 to pay the claim of the San Francisco Bulletin, for money due and owing the said San Francisco Bulletin from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Blood, Boone, Brooke, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Crowley, Dale, De Lancie, Dibble, Felz, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 558—An Act to appropriate the sum of \$717 75 to pay the claim of Daily Morning Union, Grass Valley, for money due and owing the said Daily Morning Union, Grass Valley, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boone, Brooke, Burnett, Cargill, Clough, Conrey, Cosper, Cowan, Dale, De Lancie, Devoto, Dibble, Dunlap, Felz, Greenwell,

Hanley, Hoey, Huber, Jilson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That the sum of \$70 is hereby allowed to R. Woolf, for services rendered as elevator attendant during the thirty-third session of the Legislature, the same payable out of the Contingent Fund of the Assembly. The Controller of the State is hereby directed to draw his warrant in favor of said R. Woolf for the amount herein mentioned, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

LUNDQUIST, Chairman

Ordered printed in Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That for and by reason of services rendered the Assembly by L. H. Drew, as fireman, from January 3 to February 3, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said L. H. Drew for the sum of \$90, the same being for thirty days' services at \$3 per day, being the same rate paid all other firemen, and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Ordered printed in Journal.

SENATE SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 559—An Act to appropriate the sum of \$150 to pay the claim of the Sierra Valley Record, for money due and owing the said Sierra Valley Record from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Kelley, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—54.

NOES—None

Title read and approved.

Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson,

Kelsey, Knights, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Muentert, O'Brien, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Valentine, Wade, White, Works, Wright, and Mr. Speaker—56.

NOES—Mr. Knowland—1.

Title read and approved.

SPECIAL ORDER.

Mr. Atherton called up special order for to-day:

Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition and as to the health of stock, and to prevent the sale of milk and the products of milk drawn from diseased animals to the people of this State, and to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called; and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Cargill, Clark, Clough, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelsey, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Muentert, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

SENATE SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 609—An Act to appropriate the sum of \$750 to pay the claim of Daily Record Publishing Company, Stockton, for money due and owing the said Daily Record Publishing Company, Stockton, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Hanley, Henry, Huber, Jilson, Kelsey, Knights, Knowland, Le Baron, Mack, McDonald of Tuolumne, McKeen, Merritt, Milice, Miller of Los Angeles, Muentert, O'Brien, Pierce, Raub, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, Works, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 616—An Act to appropriate the sum of \$375 to pay the claim of Contra Costa Gazette, for money due and owing the said Contra Costa Gazette from the State of California.

Read third time

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Bliss, Blood, Boone, Burnett, Caminetti, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Fairweather, Feliz, Greenwell, Hanley, Huber, Jilson, Kelsey, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Muentert, O'Brien, Pierce, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 617—An Act to appropriate the sum of \$450 to pay the claim of San Francisco Abend Post, for money due and owing the said San Francisco Abend Post from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Burnett, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Milice, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 627—An Act to appropriate the sum of \$350 to pay the claim of the Daily and Weekly Sentinel, for money due and owing the said Daily and Weekly Sentinel from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Fairweather, Feliz, Greenwell, Griffin, Hanley, Huber, Jilson, Knights, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 626—An Act to appropriate the sum of \$150 to pay the claim of Daily and Weekly News, Red Bluff, for money due and owing the said Daily and Weekly News, Red Bluff, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Burnett, Cargill, Clough, Cobb, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Huber, Jilson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 629—An Act to appropriate the sum of \$250 to pay the claim of the Democratic Printing House (Leake), for money due and owing the said Democratic Printing House (Leake) from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Burnett, Cargill, Clough, Cobb, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Rickard, Sanford, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 631—An Act to appropriate the sum of \$150 to pay the claim of the Evening Transcript, San Bernardino, for money due and owing the said Evening Transcript, San Bernardino, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Burnett, Caminetti, Cargill, Cobb, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Feliz, Griffin, Hanley, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, Melick, Merrill, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Substitute for Senate Bill No. 633—An Act to appropriate the sum of \$4,000 to pay the claim of the Examiner (W. R. Hearst), for money due and owing the said Examiner (W. R. Hearst) from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Sanford, Valentine, Wade, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 637—An Act to appropriate the sum of \$150 to pay the claim of the Index-Tribune, for money due and owing the said Index-Tribune from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Jilson, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Sanford, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Consideration of motion to reconsider made by Mr. McKeen.

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution

Passed on file, on motion of Mr. McKeen.

Substitute for Senate Bill No. 578—An Act to appropriate the sum of \$900 to pay the claim of Sacramento Publishing Company, Record-Union, for money due and owing the said Sacramento Publishing Company, Record-Union, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Brown, Burnett, Caminetti, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Feliz, Greenwell,

Hanley, Huber, Jilson, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, Valentine, Wade, Wardell, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 582—An Act to appropriate the sum of \$900 to pay the claim of Daily Independent, Stockton, for money due and owing the said Daily Independent, Stockton, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Beecher, Belshaw, Bliss, Blood, Brown, Burnett, Clough, Cobb, Cosper, Cowan, Crowly, Dale, De Lancie, Dibble, Dunlap, Greenwell, Hanley, Huber, Jilson, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, E. D. Sullivan, Valentine, Wardell, White, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 583—An Act to appropriate the sum of \$900 to pay the claim of Stockton Mail, for money due and owing the said Stockton Mail from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brown, Burnett, Clough, Cobb, Cosper, Cowan, Crowder, Crowly, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Huber, Jilson, Kelsey, Knights, Knowland, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Melick, Milice, Miller of Los Angeles, Muentner, Pierce, Raub, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 584—An Act to appropriate the sum of \$3,450 to pay the claim of San Francisco Chronicle, for money due and owing the said San Francisco Chronicle from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Brown, Burnett, Clark, Cobb, Cosper, Cowan, Crowder, Crowly, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Robinson, Stewart, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 594—An Act to appropriate the sum of \$125 to pay the claim of William O'Brien, Sutter Independent, for money due and owing the said Sutter Independent from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brown, Burnett, Cobb, Cosper, Cowan, Crowder, Crowly, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Hoey, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen,

Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

RECONSIDERATION OF VOTE.

Mr. Muentner moved that the vote whereby Senate Bill No. 450 was ordered to engrossment and third reading be reconsidered.

So ordered.

Senate Bill No. 450—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878.

Mr. Muentner moved to amend Committee Amendment No. 1 as follows:

Amend by striking out the title and inserting the following: "To amend Section 9 of an Act entitled 'An Act creating a Board of Bank Commissioners and prescribing their duties and powers,' approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1893, relating to the powers and duties of such Bank Commissioners."

Amendment adopted.

Senate Bill No. 450 ordered to print, and third reading.

SENATE SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 595—An Act to appropriate the sum of \$175 to pay the claim of Sutter Publishing Company, for money due and owing the said Sutter Publishing Company from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Cargill, Cobb, Cosper, Crowley, Dibble, Dunlap, Hanley, Hoey, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 600—An Act to appropriate the sum of \$1,000 to pay the claim of Mercury Publishing and Printing Company (Commercial Savings Bank, assignee), for money due and owing the said Mercury Printing and Publishing Company (Commercial Savings Bank, assignee) from the State of California.

Read third time

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Cargill, Clark, Cobb, Cosper, Crowley, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Hoey, Huber, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 604—An Act to appropriate the sum of \$175 to pay the claim of Yreka Journal, for money due and owing the said Yreka Journal from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Boone, Brooke, Brown, Burnett, Clark, Cobb, Cosper, Cowan, Crowley, Dibble, Dunlap, Feliz, Greenwell, Hanley, Hoey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, Mead, Merrill, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, Works, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 606—An Act to appropriate the sum of \$150 to pay the claim of the Alturas Plaindealer, for money due and owing the said Alturas Plaindealer from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cobb, Cosper, Cowan, Crowley, Dibble, Dunlap, Greenwell, Hanley, Hoey, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, Mead, Merrill, Merritt, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Raw, Sanford, Eugene Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 567—An Act to appropriate the sum of \$2,160 to pay the claim of the Oakland Tribune, for money due and owing the said Oakland Tribune from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Blood, Boone, Brown, Burnett, Clough, Cobb, Cosper, Cowan, Crowley, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Kelsey, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, Mead, Melick, Merrill, Milce, Miller of Los Angeles, O'Brien, Pierce, Raub, Robinson, Sanford, Wade, Wardell, White, Works, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 570—An Act to appropriate the sum of \$450 to pay the claim of the Santa Rosa Press-Democrat, for money due and owing the said Santa Rosa Press-Democrat from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Clark, Clough, Cobb, Cosper, Cowan, Crowley, Dale, Dunlap, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Robinson, Sanford, Wade, Wardell, White, Works, and Wright—47.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 573—An Act to appropriate the sum of \$450 to pay the claim of the San Diego Sun Publishing Company,

for money due and owing the said San Diego Sun Publishing Company from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Cargill, Cobb, Conrey, Cosper, Cowan, Crowley, Dunlap, Feliz, Hanley, Henry, Hoey, Jilson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, Mead, Melick, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 574—An Act to appropriate the sum of \$550 to pay the claim of the Los Angeles Record, for money due and owing the said Los Angeles Record from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, Dibble, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Kelsey, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Raub, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 575—An Act to appropriate the sum of \$2,000 to pay the claim of the San Francisco Report, for money due and owing the said San Francisco Report from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dibble, Dunlap, Feliz, Greenwell, Hanley, Henry, Huber, Jilson, Kelsey, Knights, Le Baron, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Milce, Miller of Los Angeles, O'Brien, Pierce, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 576—An Act to appropriate the sum of \$300 to pay the claim of Emanu-El, for money due and owing the said Emanu-El from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Burnett, Cargill, Clark, Cobb, Conrey, Cowan, Crowley, Dibble, Fairweather, Feliz, Greenwell, Hanley, Hoey, Huber, Jilson, Kelsey, Le Baron, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Milce, Miller of Los Angeles, O'Brien, Pierce, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 86—An Act to appropriate \$20,000 for the erection of a building for the Mendocino State Hospital for the purpose of connecting the administration building with the ward building of the said Mendocino State Hospital; said buildings to contain an assembly hall and

connecting corridor for the use of the patients of the said Mendocino State Hospital; to appropriate money therefor, and provide for the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Brooke, Burnett, Cargill, Clark, Clough, Conrey, Cosper, Cowan, Crowly, Dale, Dibble, Dunlap, Feliz, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Sanford, Eugene Sullivan, Wade, Wardell, Works, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Cargill, Clark, Conrey, Crowly, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Mnenter, O'Brien, Pierce, Raub, Raw, Robinson, Sanford, Eugene Sullivan, Wardell, White, Wright, and Mr. Speaker—46.

NOES—Mr. Cowan—1

Mr. McDonald of Alameda moved to amend the title of Senate Bill No. 218 as follows:

Amend the title by inserting after the word "banks," in line 3 of the title, the words "and banking and deposit institutions."

Amendment adopted.

Senate Bill No. 218 ordered to print.

Senate Bill No. 722—An Act making an appropriation to pay the expenses incurred for the funeral of the late State Treasurer, Levi Rackliffe.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Clark, Clough, Conrey, Cosper, Cowan, Crowly, Dale, Dibble, Dunlap, Fairweather, Greenwell, Hanley, Hoey, Huber, Johnson, Kelsey, Knights, Knowland, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 358—An Act to create a commission for the purpose of examining, testing, and investigating voting machines, and reporting to the Legislature at its thirty-fourth session the result of such investigation, and making an appropriation for the expenses of such commission.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Clark, Dale, Dibble, Dunlap, Fairweather, Hanley, Hoey, Jilson, Johnson,

Kelsey, Knights, Knowland, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Sanford, Wade, Wardell, White, Works, Wright, and Mr. Speaker—45.

Noes—Mr. Feliz—1.

Title read and approved.

Senate Bill No. 359—An Act to regulate the practice of architecture.
Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Brooke, Brown, Cowan, Crowley, Devoto, Fairweather, Griffin, Hanley, Henry, Hoey, Huber, Lardner, Mack, Mead, O'Brien, Rickard, Eugene Sullivan, Wardell, and Works—19.

NOES—Messrs. Arnerich, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Clark, Clough, Cosper, Crowder, Dale, De Lancie, Feliz, Greenwell, Jilson, Johnson, Kelsey, Knights, Marvin, McDonald of Alameda, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wright, and Mr. Speaker—35.

NOTICE OF MOTION TO RECONSIDER.

Mr. E. D. Sullivan gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 359 was this day refused final passage.

Senate Bill No. 427—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Read second time, and ordered to third reading.

RESOLUTION—(CASES OF URGENCY).

By Mr. Belshaw:

Resolved, That Senate Bills Nos. 657, 666, 674, 679, 681, 684, 685, 692, 694, 638, 640, 641, 643, 644, 645, 650, 651, 653, 698, 682, 707, 718, 719, 591, 562, 727, 726, 728, 654, and Assembly Bill No. 883, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The roll was called, and the urgency resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—64.

Noes—None.

SENATE SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 657—An Act to appropriate the sum of \$300 to pay the claim of the Visalia Daily Times, for money due and owing the said Visalia Daily Times from the State of California.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Substitute for Senate Bill No. 657.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Substitute for Senate Bill No. 657 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Substitute Senate Bill No. 657—An Act appropriating the sum of \$300 to pay the claim of the Visalia Daily Times, for money due and owing the said Visalia Daily Times from the State of California—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Substitute for Senate Bill No. 657—An Act to appropriate the sum of \$300 to pay the claim of the Visalia Daily Times for money due and owing the said Visalia Daily Times from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Cosper, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Robinson, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—52.

NOES—None.

Title read and approved

Substitute for Senate Bill No. 666—An Act to appropriate the sum of \$100 to pay the claim of the Labor Advocate, for money due and owing the said Labor Advocate from the State of California.

Read second time.

Substitute for Senate Bill No. 674—An Act to appropriate the sum of \$246 65 to pay the claim of the Hollister Bee, for money due and owing the said Hollister Bee from the State of California.

Read second time.

Substitute for Senate Bill No. 679—An Act to appropriate the sum of \$600 to pay the claim of L'Italia, for money due and owing the said L'Italia from the State of California.

Read second time.

Substitute for Senate Bill No. 681—An Act to appropriate the sum of \$150 to pay the claim of Fresno Evening Democrat, for money due and owing the said Fresno Evening Democrat from the State of California.

Read second time.

Substitute for Senate Bill No. 684—An Act to appropriate the sum of \$150 to pay the claim of Reporter Publishing Company, Vacaville, for money due and owing the said Reporter Publishing Company from the State of California.

Read second time.

Substitute for Senate Bill No. 685—An Act to appropriate the sum of \$250 to pay the claim of George Roe, Vallejo Daily Times, for money due and owing the said George Roe, Vallejo Daily Times, from the State of California.

Read second time.

Substitute for Senate Bill No. 692—An Act to appropriate the sum of \$200 to pay the claim of Redwood City Democrat, for money due and owing the said Redwood City Democrat from the State of California.

Read second time.

Substitute for Senate Bill No. 694—An Act to appropriate the sum of \$150 to pay the claim of the River News, for money due and owing the said River News from the State of California.

Read second time.

Substitute for Senate Bill No. 638—An Act to appropriate the sum of \$175 to pay the claim of the Healdsburg Tribune, for money due and owing the said Healdsburg Tribune from the State of California.

Read second time.

Substitute for Senate Bill No. 640—An Act to appropriate the sum of \$175 to pay the claim of Cloverdale Reveille, for money due and owing the said Cloverdale Reveille from the State of California.

Read second time.

Substitute for Senate Bill No. 641—An Act to appropriate the sum of \$600 to pay the claim of Oakland Enquirer Publishing Company, for money due and owing the said Oakland Enquirer Publishing Company from the State of California.

Read second time.

Substitute for Senate Bill No. 643—An Act to appropriate the sum of \$175 to pay the claim of the Placer Herald, for money due and owing the said Placer Herald from the State of California.

Read second time.

Substitute for Senate Bill No. 644—An Act to appropriate the sum of \$175 to pay the claim of Mountain Democrat, Placerville, G. & J. Carpenter, for money due and owing the said Mountain Democrat, Placerville, G. & J. Carpenter, from the State of California.

Read second time.

Substitute for Senate Bill No. 645—An Act to appropriate the sum of \$200 to pay the claim of Jewish Times-Observer, for money due and owing the said Jewish Times-Observer from the State of California.

Read second time.

Substitute for Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of San Diego Vidette Company, for money due and owing the said San Diego Vidette Company from the State of California.

Read second time.

Substitute for Senate Bill No. 651—An Act to appropriate the sum of \$400 to pay the claim of the Encinal Publishing Company, for money due and owing the said Encinal Publishing Company from the State of California.

Read second time.

Substitute for Senate Bill No. 653—An Act to appropriate the sum of \$200 to pay the claim of the Santa Clara News, for money due and owing the said Santa Clara News from the State of California.

Read second time.

Substitute for Senate Bill No. 698—An Act to appropriate the sum of \$300 to pay the claim of the Daily Independent, for money due and owing the said Daily Independent from the State of California.

Read second time.

Substitute for Senate Bill No. 682—An Act to appropriate the sum of \$400 to pay the claim of the Daily Riverside Enterprise, for money due and owing the said Daily Riverside Enterprise from the State of California.

Read second time.

Substitute for Senate Bill No. 707—An Act to appropriate the sum of \$600 to pay the claim of Le Franco-Californien, for money due and owing the said Le Franco-Californien from the State of California.

Read second time.

Substitute for Senate Bill No. 718—An Act to appropriate the sum of \$250 to pay the claim of the Sun Publishing Company, Colusa, for money due and owing the said Sun Publishing Company, Colusa, from the State of California.

Read second time.

Substitute for Senate Bill No. 719—An Act to appropriate the sum of \$250 to pay the claim of the Santa Ana Standard, for money due and owing the said Santa Ana Standard from the State of California.

Read second time.

Substitute for Senate Bill No. 591—An Act to appropriate the sum of \$200 to pay the claim of the Marin County Tocsin, for money due and owing the said Marin County Tocsin from the State of California.

Read second time.

Substitute for Senate Bill No. 562—An Act to appropriate the sum of \$600 to pay the claim of the Nevada Daily Transcript, for money due and owing the said Nevada Daily Transcript from the State of California.

Read second time.

Substitute for Senate Bill No. 727—An Act to appropriate the sum of \$250 to pay the claim of Daily Hanford Journal, for money due and owing the said Daily Hanford Journal from the State of California.

Read second time.

Substitute for Senate Bill No. 726—An Act to appropriate the sum of \$150 to pay the claim of the Weekly New Era, for money due and owing the said Weekly New Era from the State of California.

Read second time.

Substitute for Senate Bill No. 728—An Act to appropriate the sum of \$375 to pay the claim of the County Paper, for money due and owing the said County Paper from the State of California.

Read second time.

Substitute for Senate Bill No. 654—An Act to appropriate the sum of \$150 to pay the claim of the Downey Champion, for money due and owing the said Downey Champion from the State of California.

Read second time.

Assembly Bill No. 883—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing proposed constitutional amendments.

Read second time.

Mr. Belshaw moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Substitutes for Senate Bills Nos. 666, 674, 679, 681, 684, 685, 692, 694, 638, 640, 641, 643, 644, 645, 650, 651, 653, 698, 682, 707, 718, 719, 591, 562, 727, 726, 728, 654, and Assembly Bill No. 883.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Substitutes for Senate Bills Nos. 666, 674, 679, 681, 684, 685, 692, 694, 638, 640, 641, 643, 644, 645, 650, 651, 653, 698, 682, 707, 718, 719, 591, 562, 727, 726, 728, 654, and Assembly Bill No. 883 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 666—An Act to provide for the advertising of constitutional amendments, and making an appropriation therefor.

Also: Senate Bill No. 674—An Act making an appropriation to pay the claim of the Hollister Bee, for advertising constitutional amendments for the year 1898.

Also: Senate Bill No. 679—An Act to appropriate the sum of \$2,100 to pay the claim of James A. Devoto, assignee of E. Patrizi and G. Almagia, owners and publishers of L' Italia, for money due and owing to the said James A. Devoto, assignee as aforesaid, from the State of California, for publishing constitutional amendments.

Also: Senate Bill No. 681—An Act making an appropriation to pay the claim of the Fresno Evening Democrat, for advertising constitutional amendments.

Also: Senate Bill No. 684—An Act making an appropriation to pay the claim of Raleigh Barcar, publisher of the Vacaville Reporter, for advertising constitutional amendments.

Also: Senate Bill No. 685—An Act making an appropriation to pay the claim of George Roe, publisher of the Vallejo Times, for advertising constitutional amendments.

Also: Senate Bill No. 692—An Act making an appropriation to pay the claim of the Redwood City Democrat, for advertising constitutional amendments.

Also: Senate Bill No. 694—An Act making an appropriation to pay the claim of W. L. Dunn, publisher of the River News, for advertising constitutional amendments.

Also: Senate Bill No. 638—An Act providing for the allowance and payment of the claim of F. W. Cook against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 640—An Act providing for the allowance and payment of the claim of R. E. Baer against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 641—An Act to pay the claim of the Oakland Enquirer Publishing Company, and making an appropriation therefor.

Also: Senate Bill No. 643—An Act making an appropriation to pay the claim of the Placer Herald, published in Auburn, for advertising constitutional amendments for the year 1898.

Also: Senate Bill No. 644—An Act making an appropriation to pay the claim of the Mountain Democrat, of Placerville, for advertising constitutional amendments for the year 1898, authorized by the Governor of the State of California.

Also: Senate Bill No. 645—An Act making an appropriation to pay the claim of M. S. Levy, proprietor and publisher of the Jewish Times and Observer, for advertising constitutional amendments.

Also: Senate Bill No. 650—An Act making an appropriation to pay the claim of the San Diego Vidette, for advertising constitutional amendments.

Also: Senate Bill No. 651—An Act making an appropriation to pay the claim of J. W. Travers, assignee of the Alameda Daily Evening Enquirer, for advertising constitutional amendments for the year 1898.

Also: Senate Bill No. 653—An Act to pay the claim of the News Publishing Company, for official advertising.

Also: Senate Bill No. 698—An Act making an appropriation to pay the claim of the Daily Independent, for advertising constitutional amendments.

Also: Senate Bill No. 682—An Act making an appropriation to pay the claim of the Riverside Daily Enterprise, for advertising constitutional amendments.

Also: Senate Bill No. 707—An Act making an appropriation to pay the claim of Le Franco-Californien, for advertising constitutional amendments for the year 1898.

Also: Senate Bill No. 718—An Act making an appropriation to pay the claim of the Colusa Sun Publishing Company, publishers of the Colusa Sun, for advertising constitutional amendments.

Also: Senate Bill No. 719—An Act to appropriate the sum of \$357 to pay the claim of the Santa Ana Standard, for money due and owing the said Santa Ana Standard from the State of California, for the printing of constitutional amendments in the Santa Ana Standard.

Also: Senate Bill No. 591—An Act making an appropriation to pay the claim of the Marin County Times, for advertising constitutional amendments for the year 1898.

Also: Senate Bill No. 562—An Act making an appropriation to pay the claim of the Daily Transcript for advertising constitutional amendments.

Also: Senate Bill No. 727—An Act making an appropriation to pay the claim of the Daily Hanford Journal, for advertising constitutional amendments.

Also: Senate Bill No. 726—An Act making an appropriation to pay the claim of the Weekly New Era, for advertising constitutional amendments.

Also: Senate Bill No. 728—An Act making an appropriation to pay the claim of the County Paper, for advertising constitutional amendments.

Also: Senate Bill No. 654—An Act making an appropriation to pay the claim of Downey Champion, for advertising constitutional amendments.

Also: Assembly Bill No. 883—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing proposed constitutional amendments.

And do now report, and recommend that said bills do pass.

ANDERSON, Chairman.

Report adopted.

Substitute for Senate Bill No. 666—An Act to appropriate the sum of \$100 to pay the claim of the Labor Advocate, for money due and owing the said Labor Advocate from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brooke, Burnett, Cargill, Clark, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dibble, Fairweather, Hanley, Henry, Huber, Kelsey, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Sanford, Stewart, Valentine, Wade, White, and Mr. Speaker—42.

NOES—Mr. Hoey—1.

Title read and approved.

Substitute for Senate Bill No. 674—An Act to appropriate the sum of \$246 65 to pay the claim of the Hollister Bee, for money due and owing the said Hollister Bee from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Burnett, Cargill, Clough, Cobb, Cosper, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Kelsey, Knights, Knowland, Le Baron, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Wade, White, Works, and Mr. Speaker—50.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Raw was granted leave of absence for the day.

SENATE SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 679—An Act to appropriate the sum of \$600 to pay the claim of L'Italia, for money due and owing the said L'Italia from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Beecher, Blood, Boynton, Brooke, Burnett, Cargill, Cobb, Cosper, Cowan, Crowley, Dibble, Dunlap, Fairweather, Greenwell, Hanley, Henry, Hoey, Kelsey, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Rickard, Robinson, Valentine, Wade, White, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 681—An Act to appropriate the sum of \$150 to pay the claim of Fresno Evening Democrat, for money due

and owing the said Fresno Evening Democrat from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Burnett, Cargill, Cobb, Cosper, Cowan, Crowder, Crowly, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Hoey, Kelsey, Knowland, Le Baron, Mack, McDonald of Alameda, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Valentine, Wade, Works, and Mr. Speaker—42.
NOES—None.

Title read and approved.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendment to Senate Bill No. 202—An Act to amend Sections 204 and 205 of the Code of Civil Procedure, relating to the selecting and returning of jurors—and requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Braunhart, Morehouse, and Smith as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate.
By F. J. THOMAS, Assistant Secretary.

Mr. Johnson moved that the Assembly insist on this amendment, and that a committee of conference be appointed.

Motion carried, and it was so ordered.

APPOINTMENT OF COMMITTEE

The Speaker appointed as such conference committee Messrs. Johnson, Lardner, and Boone.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations when found necessary, without offering the same for sale, excepting from the operation of this Act any territory and property under the jurisdiction or control of any incorporated city or town or any Board of State Harbor Commissioners—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate
By F. J. THOMAS, Assistant Secretary

Mr. Miller of Los Angeles moved that the Assembly do now concur in Senate amendments to Assembly Bill No. 440.

Amend by striking out of Section 1, line 14, the words "the foregoing chapter, or in this Act," and inserting the words "this chapter"

Also: Amend Section 1, line 17, by inserting after the words "terminal purposes" the following: "on and in front of any lands owned by it."

Also: Amend by striking out of Section 1, line 6, the words "any lands," and inserting in lieu thereof the words "or in front of any lands owned by it"

Also: Amend by striking out of Section 1, line 10, the words "or such."

Also: Amend Section 1, by inserting after the words "railroad corporations," in line 10, the words "not exceeding fifty years."

Also: Amend by striking out of Section 1, line 24, the word "Act," and inserting the word "section."

Also: Amend by striking out of the enacting clause the word "the" before the word "Senate," and also before the word "Assembly."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Cowan, Crowder, Crowly, Dale, Dibble, Dunlap,

Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Johnson, Kelsey, Knowland, Le Baron, Lundquist, Mack, McDonald of Alameda, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Sanford, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 440 ordered to reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt Assembly Constitutional Amendment No. 13—A resolution to amend Section 12 of Article XIII of the Constitution.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Senate Bill No. 325—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges, and making an appropriation therefor.

Senate Bill No. 119—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum

Senate Bill No. 249—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, by amending Section 3 thereof, relating to the enumeration of the inhabitants of a city or town.

Senate Bill No. 208—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children, by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Senate Bill No. 700—An Act to appropriate \$1,125 to pay the unpaid salary of the late Dennis Spencer, as Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco from July 15, 1895, until and including November 30, 1895

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 392 withdrawn by author.

Assembly Bill No. 233 ordered to enrollment.

Senate Bill No. 325—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges, and making an appropriation therefor.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 119—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 249—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, by amending Section 3 thereof," relating to the enumeration of the inhabitants of a city or town.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 208—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 700—An Act to appropriate \$1,125 to pay the unpaid salary of the late Dennis Spencer as attorney for the State Board of

Health and the Board of Health of the City and County of San Francisco, from July 15, 1895, until and including November 30, 1895.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted and concurred in the report of the committee of free conference on Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof—whereby said bill was amended as follows:

“AMENDMENT No. 1.

“Add to the title the following, viz:

“Providing for the insertion of certain stipulations in contracts for public works, imposing penalties for violation of the provisions of this Act, and providing for the enforcement thereof”

‘AMENDMENT No. 2.

“Add to Section 2 the following, viz:

“Nothing in this Act shall be construed to authorize the collection of said penalty from the State or any political subdivision thereof”

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 366 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on the 10th day of March, 1899, adopted the report of the free conference committee on Assembly Bill No. 4—An Act to create an Exempt Firemen's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and services as firemen of such exempt firemen—whereby said bill was amended, and finally passed as amended, by the free conference committee

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 4 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Hanley moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 365, and that a committee of conference be appointed, and the Senate advised of the action of the Assembly.
So ordered.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The Speaker appointed as such conference committee Messrs. Hanley, Belshaw, and Devoto.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the free conference committee on Senate Bill No. 54—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and extension by the Board of State Harbor Commissioners of the seawall, thoroughfare, and belt-line railroad of the Harbor of San Francisco on the waterfront of the City and County of San Francisco, to create a sinking fund for the payment of said bonds and the interest thereon, and to provide for the submission of this Act to a vote of the people—whereby said bill was amended as follows:

Amend Section 1 of printed bill by striking out the word “southward,” after the word “Francisco,” in line 5, page 2.

Also: Amend Section 6 of printed bill by striking out the words “United States,”

after the word "required," in line 42, page 7; and we recommend, further, that the report of this committee heretofore adopted and reconsidered be readopted.

And finally passed said bill as amended by the free conference committee.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following Senate bills:

Senate Bill No. 554—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Senate Bill No. 662—An Act to amend Section 1416 of the Civil Code, relative to water rights.

Also: Senate Bill No. 363—An Act to amend Section 2022 of the Political Code of California.

Also: Senate Bill No. 75—An Act making an appropriation to pay the claim of J. W. Sibole.

Also: Senate Bill No. 205—An Act to amend an Act of the Legislature entitled "An Act concerning agricultural societies," approved March 12, 1859, and to authorize agricultural societies formed under said Act to borrow money and secure the payment of the same, or to sell property to pay the existing debts of said societies.

Also: Senate Bill No. 177—An Act to add two new sections to the Civil Code, to be known as Section 433 and 434 thereof, relating to the form of fire insurance policies.

Also: Senate Bill No. 282—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also: Senate Joint Resolution No. 19—Resolution as to making upon the Island of Molokai a leper hospital for the care of all lepers within the United States.

Also: Respectfully receded from its amendment to Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 847 ordered to enrollment.

MOTION.

Mr. Mead moved that the vote whereby Assembly Bill No. 441 was ordered to the Senate be reconsidered.

So ordered.

Assembly Bill No. 441 ordered on unfinished business file.

RECESS.

At five o'clock and forty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M. Speaker Anderson in the chair.

SPECIAL URGENCY FILE.

Mr. Blood moved that Assembly Bill No. 699 (354 on file) be substituted for 135 on the file.

So ordered.

Assembly Bill No. 699—An Act making an appropriation to pay the claim of John J. Snyder, for costs of suit in foreclosing delinquent purchasers of State school lands.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boynton, Brooke, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Huber, Johnson, Knights, Knowland, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Milice, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 738—An Act authorizing and directing refund to parties, their attorneys, their heirs and assigns, of unconsumed portions of money deposited as security for costs of actions and proceedings in the District Courts and Superior Courts of the State, under an Act approved March 5, 1870.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Boone, Boynton, Brooke, Burnett, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Huber, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Milice, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—49.

NOES—None.

Title read and approved.

RECONSIDERATION.

Mr. Feliz moved to reconsider the vote whereby Senate Bill No. 442 was finally passed.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Arnerich, Atherton, Boynton, Brooke, Brown, Burnett, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Dibble, Fairweather, Feliz, Glenn, Hoey, Huber, Jilson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—50.

NOES—None.

Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.

Mr. Johnson moved to refer to a select committee of one, with instructions to amend as follows:

Strike out the word "immediately" in line 1, Section 2, page 2, printed bill, and insert in lieu thereof the words "six months after its passage."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Senate Bill No. 442 ordered to print and final passage.

MOTIONS.

Mr. E. D. Sullivan moved to reconsider the vote whereby Senate Bill No. 464 was on yesterday refused final passage, and further moved to continue the motion and make same special order for to-morrow.

Mr. Wade moved to lay motion to reconsider on the table.

Motion to lay on table lost.

Motion to make special order carried.

Mr. McDonald of Alameda moved to reconsider the vote whereby Assembly Bill No. 867 was on yesterday finally passed, and further moved to continue the same until to-morrow.

So ordered.

Mr. Johnson moved to reconsider the vote whereby Senate Bill No. 63 was on yesterday refused final passage, and further moved to continue the matter until to-morrow.

So ordered.

Mr. Works moved to reconsider the vote whereby Assembly Bill No. 20 was on yesterday finally passed, and further moved to continue the matter until to-morrow.

So ordered.

Mr. Burnett moved to continue Assembly Bill No. 567; a special order for to-day, until to-morrow.

So ordered.

Mr. Lundquist moved that the report on attachés and employés be made special order for eleven o'clock and thirty minutes A. M. to-morrow.

So ordered.

Mr. Dibble moved that all special orders for to-day be continued special orders for to-morrow.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Read second time.

Mr. Huber moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 92.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 92 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same—and do now report the same with amendments, and recommend that the same do pass as amended.

Report adopted.

ANDERSON, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

During the second reading of bill, the following committee amendment was submitted:

Amend by striking out all of Section 1 from and after the word "of," in line 1, page 1, printed bill, and inserting in lieu thereof the following: "thirty thousand dollars (\$30,000) is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be paid to the Trustees of the Whittier State School, at Whittier, to be apportioned and by them expended as follows: For the construction and erection of trades buildings upon the lands belonging to the State at Whittier, and furnishing and equipping the same, twenty thousand (\$20,000) dollars; for erecting, equipping, and furnishing a hospital building on said grounds, five thousand (\$5,000) dollars; for constructing and equipping bath-rooms for the use of the girls at said school, one thousand (\$1,000) dollars, and for the rental and purchase of water and repairing the reservoir and pipe-lines at said school, four thousand (\$4,000) dollars; *provided*, that all contracts for work to be performed or materials furnished for the construction of buildings and their equipping under the provisions of this Act shall, before being entered into, be approved by the State Board of Examiners; *furthermore provided*, that of the said sum of thirty thousand dollars hereinbefore appropriated, four thousand dollars, to be used for the rental and purchase of water and the repairing of the reservoir and pipe-lines, shall become immediately available, and the remaining part of said appropriation of thirty thousand dollars, or twenty-six thousand dollars, shall not be used and become available until on and after the first day of January, Anno Domini nineteen hundred. The State Controller is hereby directed to draw his warrants from time to time, and in such sums as may be necessary to carry out the provisions of this Act, and the State Treasurer is hereby directed to pay said warrants."

Amendment adopted.

Assembly Bill No. 92 ordered to print, engrossment, and third reading.

RESOLUTION—(CASE OF URGENCY).

Mr. Cowan offered the following:

Resolved, That Assembly Bill No. 1009 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that the said bill be read the second and third times and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—53.
NOES—Mr. O'Brien—1.

Assembly Bill No. 1009—An Act to amend Sections 163, 167, 174, 196, 200, and 204 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, and considered engrossed.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Glenn, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of

Tuolumne, McKeen, Mead, Melick, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—58.

Noes—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Cobb moved that the Assembly do now reconsider the vote whereby Assembly Bill No. 920 was refused final passage.

The roll was called, and the Assembly refused to reconsider by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Brooke, Burnett, Clough, Cobb, Cosper, Cowan, Fairweather, Hoey, Johnson, Knights, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Milce, Miller of San Francisco, Eugene Sullivan, Wade, White, and Works—25.

NOES—Messrs. Arnerich, Boone, Boynton, Brown, Cargill, Conrey, Crowder, Crowley, Dale, De Lancie, Dibble, Feliz, Glenn, Huber, Kelsey, Kenneally, Knowland, Lardner, Mack, Marvin, O'Brien, Pierce, Radcliff, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wardell, and Wright—30.

SPECIAL URGENCY FILE—(RESUMED).

File No. 139 passed temporarily on file.

Assembly Bill No. 605—An Act making appropriation to pay the deficiency in the appropriation to pay for transportation of insane for the forty-ninth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brown, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Hoey, Huber, Johnson, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Milce, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—50.

Noes—None

Title read and approved.

Mr. Wright moved to substitute Senate Bill No. 330 (129 on file) for No.— (141 on file).

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Wright:

Resolved, That Senate Bill No. 330 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Hanley, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Eugene Sullivan, E. D. Sullivan, Wardell, White, Works, and Mr. Speaker—53.

NOES—Mr. Conrey—1.

Senate Bill No. 330—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Read second time.

Mr. Wright moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 330.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 330 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 330—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 330—An Act authorizing and directing the State Controller and State Treasurer to transfer from the General Fund to the Oakland Harbor Improvement Fund the sum of \$250,000.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Caminetti, Cargill, Clough, Cobb, Crowder, Dale, Dibble, Glenn, Hanley, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Rickard, Eugene Sullivan, Wardell, Works, Wright, and Mr. Speaker—42.

NOES—Messrs. Fairweather and Muentner—2.

Title read and approved.

At nine o'clock P. M., the Speaker called Mr. Pierce to the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 1006—An Act to create a Department of Public Works, to define the powers and duties thereof, and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof.

RICKARD, Chairman.

Assembly Bill No. 1006 ordered to third reading.

UNFINISHED BUSINESS.

Assembly Bill No. 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk and suitable fencing along California and Park streets, in the City of Stockton, around the lands occupied by the State Hospital.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Blood, Boone, Brooke, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, Mead, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Ranb, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—53.

NOES—None.

Title read and approved.

THIRD-READING FILE.

Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893; for the payment of delinquent taxes for such years; providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption; authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales; providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities.

Read third time.

Mr. Works moved to refer bill to a select committee of one to amend as follows:

Amend by inserting after the word "sale," in line 12, Section 1, printed bill, the words "at the legal rate of interest from the date of sale to the date of redemption, but"

Also: Amend by striking out of line 12, Section 1, printed bill, the word "interest."

Motion carried, and it was so ordered.

Mr. Works was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893, for the payment of delinquent taxes for such years, providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption, authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales; providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities—with instructions to amend, now reports that the instructions of the Assembly have been carried out

WORKS, Committee.

Report adopted.

Assembly Bill No. 217 ordered to print, reëngrossment, and final passage.

MOTION.

Mr. Works moved to take up Senate messages.

Motion lost.

RESOLUTION—(CASE OF URGENCY).

By Mr. Merritt:

Resolved, That Assembly Bill No. 986 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cobb, Cosper, Cowan, Crowder, Crowley, De Lancie, Dibble, Dunlap,

Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard, E. D. Sullivan, Wardell, White, Works, Wright, and Mr. Speaker—54.

NOES—Mr. Dale—1.

Assembly Bill No. 986—An Act to provide for the payment of the salary of the Secretary of the State Engineer for the fortieth, forty-first, and forty-second fiscal years.

Read second time.

Mr. Merritt moved that the Assembly resolve itself into Committee of the Whole, with Mr. Pierce in the chair, for the purpose of considering Assembly Bill No. 986.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 986 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 986—An Act to provide for the payment of the salary of the Secretary of the State Engineer for the fortieth, forty-first, and forty-second fiscal years—and do now report, and recommend that the same do pass

PIERCE, Chairman.

Report adopted.

Assembly Bill No. 986 ordered considered engrossed.

Assembly Bill No. 986—An Act to provide for the payment of the salary of the Secretary of the State Engineer for the fortieth, forty-first, and forty-second fiscal years.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bliss, Blood, Cowan, Crowder, Crowley, De Lancie, Dibble, Hanley, Henry, Hoey, Jilson, Johnson, Kenneally, Knowland, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, O'Brien, Pierce, Rickard, E. D. Sullivan, White, Works, Wright, and Mr. Speaker—27.

NOES—Messrs. Atherton, Belshaw, Boynton, Brooke, Burnett, Clough, Conrey, Dale, Dunlap, Fairweather, Glenn, Kelsey, Knights, Le Baron, Lardner, Marvin, Merritt, Milice, Miller of Los Angeles, Raub, Valentine, Wade, and Wardell—23.

NOTICE OF MOTION TO RECONSIDER.

Mr. Merritt gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 986 was this day refused final passage.

MOTION TO RECONSIDER.

Mr. Valentine moved to reconsider the vote whereby Assembly Bill No. 92 was ordered to print, reengrossment, and third reading.

Motion carried.

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Mr. Valentine moved that Assembly Bill No. 92 be further amended as follows:

Amend by striking out all of Sections 2 and 3.

Amendment adopted.

Assembly Bill No. 92 ordered to print, reëngrossment, and third reading.

MOTION.

Mr. Henry moved that his motion to reconsider the vote whereby Assembly Bill No. 15 was refused final passage be continued until next legislative day.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 550—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, Dibble, Dunlap, Feliz, Glenn, Henry, Hoey, Johnson, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 780—An Act to amend Section 647 of the Penal Code of the State of California, relating to vagrants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Pierce, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, and White—41.

NOES—Messrs. Henry, Hoey, Kenneally, O'Brien, and Eugene Sullivan—5.

Title read and approved.

MOTION.

Mr. Crowder moved that the Assembly do now take up messages from the Governor and from the Senate.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 15, 1899. }

To the Assembly of the State of California.

I herewith return to your honorable body Assembly Bill No. 292 for correction, pursuant to the resolution this day passed.

HENRY T. GAGE,
Governor of the State of California.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed a motion requesting that your honorable body return to the Senate, for correction in amendments, Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Also: Request that Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of the San Diego Vidette Company, for money due and owing the said San Diego Vidette Company from the State of California—be returned to the Senate for correction.

F. J. BRANDON, Secretary of Senate.
By P. L. THOMAS, Assistant Secretary.

Mr. Dibble moved that, in compliance with the request of the Senate Senate Bill No. 292 and Senate Bill No. 650 be returned to the Senate for correction.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 509 and 127.

Assembly Bill No. 509—An Act providing for the maintenance of a residence for the Governor of the State of California, and empowering the State Capitol Commissioners to provide for the heating, lighting, and repairs, and renewal of furnishings of said residence, and providing for the number and salaries of the necessary employes and servants selected and employed by the Governor therein, and for the appropriation of necessary money for such purpose, and directing the State Controller to issue warrants upon the General Fund, and directing the State Treasurer to pay said warrants.

Assembly Bill No. 127—An Act to provide for the purchase of additional land for the Folsom State Prison, and making an appropriation therefor.

And were presented to the Governor March 15, 1899, at nine o'clock and fifty minutes P. M.

RICKARD, Chairman.

MOTION.

Mr. White moved to substitute 192 on file for 147 on file.

Motion lost, there being more than seven objectors.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 714—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Brooke, Burnett, Caminetti, Clough, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Dibble, Dunlap, Fairweather, Feliz, Glenn, Henry, Hoey, Jilson, Kenneally, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, and White—45.

NOES—None.

Title read and approved.

Assembly Bill No. 685—An Act entitled "An Act to prohibit the manufacture or sale or operation of any mechanical device or machine known as the slot machine, within the State of California."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cosper, Cowan, Crowly, Dale, De Lencie, Dunlap, Feliz, Glenn, Henry, Hoey, Jilson, Johnson, Kelsey, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Milice, Miller of San Francisco, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—47.

NOES—Mr. Kenneally—1.

Title read and approved.

Mr. E. D. Sullivan moved that Assembly Bill No. 952 be made special order for to-morrow.

So ordered.

Assembly Bill No. 713—An Act for the protection and propagation of pheasants.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boynton, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowly, Dale, De Lencie, Dibble, Dunlap, Feliz, Glenn, Hanley, Jilson, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Milice, Miller of San Francisco, O'Brien, Pierce, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Wright—47.

NOES—None.

Title read and approved.

Assembly Bill No. 646—An Act to provide special quarters in county, city and county jails, city jails, or police stations, for juvenile prisoners.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowly, Dale, De Lencie, Dibble, Dunlap, Fairweather, Feliz, Hanley, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merrill, Milice, Miller of San Francisco, O'Brien, Pierce, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Le Baron moved that Assembly Bill No. 432 be made special order for to-morrow.

So ordered.

At ten o'clock and forty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 527—An Act authorizing the Boards of Supervisors of all the counties in this State to refund the indebtedness of said county, to issue bonds therefor, and to provide for the payment of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowly, Dale, De Lencie, Dibble, Fairweather, Feliz, Hanley, Henry, Jilson, Johnson, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Milice, Miller of San Francisco, O'Brien, Pierce, Rickard, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 807—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and

trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroners' inquests held on the body of any person confined in such prisons and schools.

Read third time.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

Pending roll call, Mr. Rickard moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Atherton, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Fairweather, Feliz, Hanley, Henry, Hoey, Johnson, Le Baron, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Milice, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—41.

Mr. Hanley moved that further proceedings under call of the House be suspended.

Motion lost.

Mr. O'Brien moved that further proceedings under call of the House be suspended.

The ayes and noes were demanded by Messrs. O'Brien, Hoey, and Hanley.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Blood, Boynton, Burnett, Cobb, Hanley, Henry, Hoey, Kenneally, Lundquist, O'Brien, E. D. Sullivan, and Mr. Speaker—12.

NOES—Messrs. Atherton, Brooke, Brown, Caminetti, Cargill, Clough, Crowder, Crowley, Dale, De Lancie, Dibble, Fairweather, Feliz, Jilson, Le Baron, Mack, McDonald of Alameda, McKeen, Mead, Milice, Miller of San Francisco, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, and Wright—30.

Mr. Atherton moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll was called, and Assembly Bill No. 807 passed by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Cowan, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Johnson, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Milice, Miller of San Francisco, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

ADJOURNMENT.

At eleven o'clock and thirty minutes P. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, March 16, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 16, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brown, Caminetti, Cargill, Chynoweth, Clark, Cobb, Dunlap, Fairweather, Glenn, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Muentner, Robinson, Sanford, Wade, Wright, and Mr. Speaker—41.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Wednesday's Journal, the further reading was dispensed with, on motion of Mr. Bliss.

The Journal of Tuesday, March 14, 1899, was read and approved.

MOTIONS.

Mr. Belshaw moved to reconsider the vote whereby Assembly Bill No. 1005 was on yesterday finally passed.

Mr. Johnson moved to lay the motion to reconsider on the table.
So ordered.

SPECIAL ORDERS.

Assembly Bill No. 666—An Act making an appropriation to pay the claim of the City of Sacramento, for water furnished the State of California during the forty-ninth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Caminetti, Cargill, Chynoweth, Clark, Conrey, Cowan, Dibble, Fairweather, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Wade, White, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 667—An Act making an appropriation to pay the claim of the City of Sacramento, for water furnished the State of California during the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boone, Brooke, Brown, Cargill, Chynoweth, Clough, Conrey, Cowan, Devoto, Dibble, Fairweather, Feliz, Glenn,

Griffin, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Baree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Wade, Wright, and Mr. Speaker—48

N^OES—None.

Title read and approved.

COMMUNICATION.

To His Excellency the Governor, the Senate and Assembly of the State of California.

In behalf of the Republican Good Government League, representing over two thousand five hundred Republican voters of Santa Clara County, we most earnestly protest against the enactment of Senate Bill No. 308 or Assembly Bill No. 1000, now pending before your honorable bodies, "To establish a uniform system of county and township governments," as well as against the enactment of any statute whereby the number of county officers are increased in said County of Santa Clara, or their salaries increased; and we most respectfully show that in the year 1894 the Salary Fund of Santa Clara County, which consists of a general levy, and the fees and fines collected by the several officers, amounted to the following:

General tax levy, 9 cents	\$50,861 00
Fees and fines	23,000 00
	<hr/>
	\$73,861 00

That by the Act of 1897, Section 161, the salaries of officers in said county were increased in the sum of \$15,800.

That in addition to the numerous salaried officers created by the Board of Supervisors, the officers and salaries provided by the statute of 1897 are as follows, payable from the County Treasury.

County Clerk, per annum	\$9,000 00
County Clerk, additional deputy	1,200 00
Sheriff (and mileage in certain cases)	9,520 00
Recorder	8,000 00
Auditor	4,000 00
Tax Collector (including all fees as License Collector)	7,000 00
Treasurer	4,000 00
Assessor	9,500 00
Assessor, one deputy	1,200 00
District Attorney	3,200 00
Assistant District Attorney	1,800 00
Deputy District Attorney	1,200 00
County Superintendent of Schools	2,000 00
County Superintendent's Assistant	900 00
The Surveyor, his fees	
The Coroner	600 00
Each Supervisor, as such	1,200 00
Each Supervisor, as Road Commissioner, with mileage 20 cents to and from the county seat	500 00
Public Administrator, his fees	
Health Officer	600 00

It would seem that the above salaries are most liberal; in fact, almost extravagantly so. And under this Act of 1897 the Salary Fund of Santa Clara County was as follows:

General levy, 14.50 cents	\$73,981 00
Fees and fines collected	24,836 00
	<hr/>
Total	\$98,817 00

An increase over 1894 of tax levy from 9 to 14.50 cents, and an increase in amount raised of \$24,956

It is proposed by the bills now before the Senate and Assembly to add the following, per Section 161

Clerk of the Board of Supervisors	\$1,500 00
Under Sheriff	1,800 00
License Collector	1,800 00
District Attorney's clerk	1,200 00
Prosecuting Attorney, Justice's Court	1,500 00
County Surveyor, salary	2,400 00
County Surveyor, clerk	1,500 00

While in the Senate Bill it is proposed to give the License Collector ten per cent of licenses collected, which will amount to at least annually the sum of \$2,500, in addition to his salary of \$1,800 provided

In many other respects increased expenditures are provided.

It is conceded by all officials of our county that the present force of officers is enough to fully and promptly discharge all the duties required of them by law; that such proposed increase is unwarranted, and will add many thousands of dollars to our already burdened taxpayers.

Wherefore, in the interests of good government, of economy, of justice, and of the taxpayers of Santa Clara County, we most earnestly protest against any change in the law whereby the offices or their salaries are increased, or the powers of the County Board of Supervisors enlarged.

Most respectfully,

J. R. LEWIS,
E. A. HAYES,
C. M. WOOSTER,
Committee.

Mr. Arnerich moved that the communication be printed in the Journal.
So ordered.

MOTION.

Mr. McDonald of Alameda moved to reconsider the vote whereby Assembly Bill No. 867 was finally passed, and further moved to lay the motion to reconsider on the table.

So ordered.

COMMUNICATION.

LOS ANGELES, CAL., March 10, 1899.

To the Honorable the Members of the Assembly of the State of California.

GENTLEMEN: The Executive Committee of the Free Harbor Jubilee through its Committee on Invitation and Reception, most cordially invite you to be present at the celebration of the Free Harbor Jubilee, which inaugurates the establishment on the southern coast of California of a new harbor for ocean steamships of the first class, and which will contribute to the commercial growth and prosperity of the whole southwest.

It is the most important harbor work ever undertaken by the Government of the United States on the Pacific Coast, and is in other respects a work of national importance. The event will be historic, and the series of attractions and displays unique and beautiful.

PROGRAMME

*Tuesday, April 25th (at Los Angeles).—*Reception at eight o'clock P. M., by the citizens of Los Angeles at the Chamber of Commerce. Music and refreshments.

*Wednesday, April 26th (at San Pedro).—*Depositing first barge load of rock at eleven o'clock A. M. Addresses by prominent speakers. Barbecue at one o'clock P. M. Grand illumination of the harbor, shipping, and bluffs in the evening.

*Thursday, April 27th (at Los Angeles).—*Nine o'clock A. M.: Festivities characteristic of the early days of California. Magnificent floral parade in the afternoon. Grand parade of floats, electrically illuminated, in the evening.

During the Jubilee there will be every arrangement for the comfort and convenience of visitors.

Most respectfully,

G. J. GRIFFITH, Chairman.

Committee on Invitation and Reception of the Free Harbor Jubilee—Griffith J. Griffith, Homer Laughlin, F. M. Kelsey, W. D. Woolwine, J. A. Muir, Hon. Fred Eaton, Herman Silver, Dan Freeman, M. M. Potter, J. O. Koepfli

Mr. Valentine moved that the communication be printed in the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1899

MR. SPEAKER: Your Committee on Ways and Means submit herewith their report for the week ending Saturday, March 11, 1899:

Bills Referred to this Committee Since Last Report.

Mar. 6, Assembly Bill No. 949—To provide for the exportation of non-citizen inmates of the State Hospitals for the Insane	\$10,000 00
6, Senate Bill No. 282—For maintenance and improvement of the water system at the Preston School of Industry	8,000 00
7, Senate Bill No. 620—Claim of John W. Mitchell	1,500 00
8, Senate Bill No. 302—To transfer from the General Fund to the State Debris Construction Fund	250,000 00
8, Senate Bill No. 358—To create a commission for the purpose of examining voting machines	1,000 00
8, Senate Bill No. 722—To pay the funeral expenses of the late State Treasurer Levi Rackliffe	809 50
8, Senate Bill No. 816—Claim of J. W. Travers, assignee of Evening Encinal	839 00
8, Senate Bill No. 817—Claim of H. B. Martin & Son	150 00
Total	\$272,298 50

Bills Reported Favorably.

Mar. 9, Assembly Bill No. 907	\$400 00
7, Senate Bill No. 282	7,000 00
8, Senate Bill No. 620	1,500 00
9, Senate Bill No. 722	809 50
6, Assembly Bill No. 424	40,000 00
8, Senate Bill No. 122	1,539 76
7, Senate Bill No. 75	675 00
11, Assembly Bill No. 679	374 45
11, Assembly Bill No. 786	2,500 00
11, Assembly Bill No. 949	10,000 00
	<hr/>
	\$64,798 71

Bills Returned Without Recommendation.

Mar. 11, Assembly Bill No. 636	\$4,227 00
11, Assembly Bill No. 522	808 00
11, Assembly Bill No. 895	2,100 00
11, Assembly Bill No. 919	2,500 00
11, Assembly Bill No. 971	4,488 42
11, Assembly Bill No. 959	183 55
11, Assembly Bill No. 981	1,150 00
11, Assembly Bill No. 499	300,000 00
11, Assembly Bill No. 16	1,000 00
11, Assembly Bill No. 421	600 00
11, Assembly Bill No. 475	10,000 00
11, Assembly Bill No. 614	3,600 00
	<hr/>
	\$330,636 97

Bills Reported with Recommendation that They be Withdrawn.

Mar. 11, Assembly Bill No. 735	\$7,170 48
11, Assembly Bill No. 748	175 00
11, Assembly Bill No. 749	150 00
11, Assembly Bill No. 751	717 75
11, Assembly Bill No. 752	600 00
11, Assembly Bill No. 760	2,100 00
11, Assembly Bill No. 761	450 00
11, Assembly Bill No. 762	550 00
11, Assembly Bill No. 763	2,500 00
11, Assembly Bill No. 767	3,450 00
11, Assembly Bill No. 768	900 00
11, Assembly Bill No. 769	900 00
11, Assembly Bill No. 773	650 00
11, Assembly Bill No. 774	900 00
11, Assembly Bill No. 782	205 00
11, Assembly Bill No. 783	125 00
11, Assembly Bill No. 791	4,516 00
11, Assembly Bill No. 792	750 00
11, Assembly Bill No. 796	51 00
11, Assembly Bill No. 797	175 00
11, Assembly Bill No. 798	250 00
11, Assembly Bill No. 800	175 00
11, Assembly Bill No. 802	450 00
11, Assembly Bill No. 804	630 00
11, Assembly Bill No. 805	300 00
11, Assembly Bill No. 806	250 00
11, Assembly Bill No. 820	2,100 00
11, Assembly Bill No. 821	250 00
11, Assembly Bill No. 826	175 00
11, Assembly Bill No. 827	400 00
11, Assembly Bill No. 835	863 00
11, Assembly Bill No. 838	250 00
11, Assembly Bill No. 844	185 00
11, Assembly Bill No. 849	1,631 70
11, Assembly Bill No. 850	2,100 00
11, Assembly Bill No. 857	689 75
11, Assembly Bill No. 858	150 00
11, Assembly Bill No. 901	150 00
11, Assembly Bill No. 902	246 65
11, Assembly Bill No. 910	500 00
11, Assembly Bill No. 912	150 00
11, Assembly Bill No. 913	250 00
11, Assembly Bill No. 923	250 00
11, Assembly Bill No. 927	213 15
11, Assembly Bill No. 948	357 00
11, Assembly Bill No. 953	300 00

Mar. 11, Assembly Bill No. 972	\$1,800 00
11, Assembly Bill No. 973	5,280 00
11, Assembly Bill No. 975	357 00
11, Assembly Bill No. 976	125 00
11, Assembly Bill No. 816	839 00
11, Assembly Bill No. 982	132 18
11, Assembly Bill No. 983	200 00
11, Assembly Bill No. 984	21 50
11, Assembly Bill No. 671	1,622 13
11, Assembly Bill No. 866	1,000 00
11, Assembly Bill No. 817	150 00
	<hr/>
	\$51,388 29

Recapitulation.

Total appropriations referred to this committee to date	\$5,750,587 17
Total appropriations reported favorably	2,273,399 99
Total appropriations reported unfavorably	575,332 00
Total appropriations referred to other committees	408,845 00
Total amount of reductions made by reason of amendments in committee ..	526,093 87
Total appropriations remaining in the hands of the committee	250,300 00
Total appropriations reported without recommendation	873,685 97
Total appropriations reported with recommendation that they be withdrawn	842,930 34

Ordered printed in Journal, and to lay over until to-morrow.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions having on February 12, 1899, visited the Preston School of Industry, situated at Ione, respectfully report as follows:

From our investigations of the management of the institution we feel satisfied that it is good. We drove over the lands belonging to the institution, and found the fences in a very dilapidated condition and scarcely any material in them of value, other than the barbed wire. Owing to the condition of the fences, other stock has found it easy to break through and roam on the grazing land at will, and frequently on the lands under cultivation.

The lands under cultivation have been well cared for and we find the stock in good condition, well kept and well housed.

The cows and hogs are of excellent breeds.

The water supply is abundant, but not of a very good quality, and not suitable for drinking purposes. The source of this supply is from a reservoir about three miles distant, and is brought to the school by pipe-line and ditch. We feel assured that with a filtering reservoir it may be greatly improved, and can be used for all purposes. The water for drinking and cooking is brought from a spring about a mile distant, but we hope this extra trouble may be dispensed with after the filtering process is put in operation.

We found the buildings in good condition. Two cottages, each about 500 feet from the administration building, are now under construction. The cottages are for the purpose of segregating the pupils—the younger ones from the older.

An annex to the administration building is very much needed. It is to be used as the boys' assembly-room, dining-room, and kitchen. The present dining-room is inadequate, the boys being crowded into this small room, and it is impossible for the officers to pay proper attention, and give the boys satisfactory training while at the dining table, on account of the present crowded condition. The buildings are lighted by electricity, the power plant being owned by the school.

Also:

Your Committee on State Prisons and Reformatory Institutions, having visited the prison at Folsom, respectfully report:

This prison is situated on the bank of the American River, and we consider it a fine location.

The management of this institution is one of the best of the State.

An appropriation of \$4,000 is wanted to purchase a piece of land, containing 250 acres, adjoining the prison grounds. In our opinion it would be a very good investment, and it would be unwise for the State to let this opportunity pass. A large part of this land can be used for the production of hay and of other products, which would materially reduce the expense for the support of the institution. Part of this land is covered by wood. The wood would more than pay for the land by the use of prison labor to cut and haul the same for the use of the prison.

The sanitary condition of the prison is good. The abundant water supply furnishes all the wants necessary for the flushing appliances, and everything is kept strictly clean.

Also:

On Sunday, February 19, 1899, your committee visited the prison situated at San Quentin.

We consider the management of this institution good. It is the most difficult of the State penal institutions to manage, on account of the large number of prisoners confined therein, it being located near the center of a large population, easy of access, and the

county road which runs through the grounds makes it easy for the secretion of fire-arms, opium, clothing—other than the garb worn by prisoners—and weapons of almost every kind, on the prison grounds, which keeps some of the prisoners always on the alert for an opportunity and a way to escape.

The cost of the land owned by the State was \$51,000, an average of \$124 per acre. There are 115 acres of this land covered by tide water. It is very important for the State to hold part of this tide land as a water front.

There are about two hundred acres on the main land, which is of poor quality. Nearly one hundred acres of it is barren and non-productive, on account of its being clay land, and the top soil to a depth of several feet being stripped off in former years for the purpose of making brick. The three acres used for vegetables and about seventy acres for hay furnish but a small part of the amount needed for the consumption at the prison. There is no ground around the prison where products can be grown in sufficient quantities for the necessary requirements at the prison.

The prison gets its water supply from the Marin Water Company, at a cost of thirty cents per thousand gallons. The main source of this supply is Lake Lagunitas, which amounts to about \$6,000 per annum for the water supply at the prison.

ATHERTON, Chairman.

Report adopted by committee.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred a resolution introduced by Mr. Milce, relative to selecting a new site for a State Prison, etc., have had the same under consideration, offer a substitute, and respectfully report the substitute back, and recommend that it be adopted, as follows:

"WHEREAS, The outbreak lately attempted at San Quentin Prison led to the discovery of implements in the possession of convicts, which were placed on the prison grounds by outsiders; and

"WHEREAS, Opium and other articles have and do, in like manner, come into the possession of the prisoners; and

"WHEREAS, The close proximity of the said prison to one third of the population of the State, and the cheapness with which people can reach it, is responsible for the condition above referred to; and

"WHEREAS, Many changes, involving large expenditures, will have to be made before many years if said prison is to be maintained; and

"WHEREAS, A public institution of that character should have an extensive tract of land and should be at a distance from large centers of population; and

"WHEREAS, Such land should be of the character and fertility to enable such institution to produce vegetables for the inmates and feed for the stock, and thus reduce the cost of maintenance thereof; and

"WHEREAS, There is very little land at said prison for such purposes; and

"WHEREAS, The land now owned by the State at said prison has become valuable and can be disposed of to advantage; and

"WHEREAS, The time is fast approaching when another site will have to be selected; therefore, be it

"Resolved by the Assembly, the Senate concurring, That the State Board of Prison Directors be and they are hereby authorized to consider the matters hereinbefore referred to, and report to the next session of the Legislature what, if anything, ought to be done concerning the establishment of a new prison, and the gradual removal of the San Quentin Prison, and also to make such recommendation concerning the location of such new prison as the interests of the State and the economical and safe administration thereof may demand"

ATHERTON, Chairman.

Mr. Dibble moved to amend the resolution by striking out the preamble to the resolution.

Mr. Rickard moved to lay the whole matter on the table.

So ordered.

MOTION.

Mr. Jilson moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to amend an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897, as applied to counties of the twenty-eighth class."

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom were referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The numbers of said bills are as follows: Assembly Bills Nos. 1011, 1012, and 1013, and they are matters of urgency.

COBB, Chairman.

The question being on the suspension of the provision of the Constitution to allow the introduction of bills.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Cowan, De Lancie, Devoto, Dibble, Dunlap, Feliz, Greenwell, Griffin, Huber, Jilson, Johnson, Kelsey, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Mihce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, White, Wright, and Mr. Speaker—54.

NOES—Messrs. Clough, Conrey, and Sanford—3.

INTRODUCTION OF BILLS.

By Mr. Muentzer: Assembly Bill No. 1011—An Act to amend Sections 146 and 164 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on second-reading file.

By Mr. Griffin: Assembly Bill No. 1012—An Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on second-reading file.

By Mr. Jilson: Assembly Bill No. 1013—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, as applied to counties of the twenty-eighth class.

Read first time, and ordered on second-reading file.

RESOLUTIONS.

By Mr. Caminetti:

ASSEMBLY CONCURRENT RESOLUTION NO. 23.

WHEREAS, A brief statement of the object and effect of each proposed constitutional amendment adopted by the Legislature would aid the voters in arriving at a conclusion thereon; therefore, be it

Resolved, That a committee of three members of the Senate and three of the Assembly be appointed by the respective houses to prepare such statements, and report the same to each house before the adjournment of the Legislature.

Assembly Concurrent Resolution No. 23 read and adopted.

By Mr. Mead:

Resolved, That after nine o'clock P. M. to-day no Assembly bills other than those that have passed the Senate be considered in the Assembly.

Referred to Committee on Rules and Regulations, to report this afternoon.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and

obligations arising between such new-formed counties and the county or counties from which they are formed.

Passed on file.

Assembly Bill No. 1006—An Act to create a Department of Public Works, to define the powers and duties thereof and of the Secretary of Public Works, to fix his compensation, to provide for the officers and assistants of said department, and to make an appropriation for the payment of salaries and other expenditures thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Crowder, Dale, Dibble, Greenwell, Griffin, Huber, Johnson, Kelley, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Milice, Radcliff, Raub, Raw, Rickard, Robinson, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—45.

NOES—Messrs. Atherton, Boone, Clough, Conrey, Dunlap, Feliz, Jilson, Miller of Los Angeles, and Pierce—9.

Title read and approved.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Passed on file.

Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners.

Passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 25.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section to article two thereof, to be known as section number six, permitting the expression by ballot by the people of their preference for the office of United States Senator.

The Legislature of the State of California, at its thirty-third session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety nine, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that a new section be added to the Constitution of the State of California, to be known and designated as section six, article two thereof, as follows:

Section 6 The Legislature shall provide that at the general election immediately preceding the expiration of the term of a United States Senator from this State, the electors may by ballot express their preference for some person for the office of United States Senator. The votes cast for such candidates shall be canvassed and returned in the same manner as for State officers

Resolution read.

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—56.

NOES—None.

Assembly Constitutional Amendment No. 25 ordered to enrollment.

SENATE CONSTITUTIONAL AMENDMENT No. 9.

Proposed amendment to Article VI of the Constitution, relative to the compensation of Supreme and Superior Court Judges.

The Legislature of the State of California, at its thirty-third session, two thirds of all the members elected to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to the Constitution:

That section seventeen of article six be amended so as to read:

Section 17. The Justices of the Supreme Court and Judges of the Superior Court shall severally, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished after their election, nor during the term for which they shall have been elected, which compensation shall be paid by the State, until otherwise changed by the Legislature. The annual salaries of the Justices of the Supreme Court shall be six thousand dollars each, the Superior Court Judges shall receive the salaries now allowed by law, payable monthly. Each Judge of the Superior Court may appoint a competent stenographer for his court, who shall hold office during good behavior. Such stenographer shall receive a salary for reporting, payable by the State, and fees for transcription when required, payable in criminal cases by the county, and in civil cases by the party ordering the same. Such salary, which may vary in different counties in proportion to duties, and such fees, shall be fixed by law.

Resolution read.

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Crowder, Dale, De Lancia, Devoto, Dibble, Dunlap, Glenn, Greenwell, Hanley, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Raub, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—54

NOES—Messrs Conrey, Lardner, and Melick—3.

SENATE CONSTITUTIONAL AMENDMENT No 4

A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be known and designated as Section 2½, Article II thereof, concerning primary elections

The Legislature of the State of California, at its thirty-third session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety-nine, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that a new section be added to the Constitution of the State of California, to be known and designated as section two and one half, article two thereof, as follows:

Section 2½. The Legislature shall have the power to enact laws relative to the election of delegates to conventions of political parties at elections known and designated as primary elections. Also, to determine the tests and conditions upon which electors, political parties, or organizations of voters may participate in any such primary election, which tests or conditions may be different from the tests and conditions required and permitted at other elections authorized by law; or, the Legislature may delegate the power to determine such tests or conditions, at primary elections, to the various political parties participating therein. It shall also be lawful for the Legislature to prescribe that any such primary election law shall be obligatory and mandatory in any city, or in any city and county, of a uniform population, and that such law shall be optional or otherwise in any other city, or city and county, of a lesser population.

Resolution read.

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Cosper, Cowan, Crowder, Dale, De Lancia, Dibble, Dunlap, Feibz, Glenn, Greenwell, Hanley, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Milce, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Wright, and Mr. Speaker—55.

NOES—None.

Senate Constitutional Amendment No. 15—Relative to an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Amendment read.

COMMITTEE AMENDMENT No. 1.

Amend by striking out the words "and forty-fourth," in line 17, page 2, printed resolution, and inserting in lieu thereof the words "forty-fourth and fiftieth"

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the word "three," in line 20, page 2, printed resolution, and inserting in lieu thereof the word "five."

Amendment adopted.

Mr. Johnson moved to amend as follows:

Insert after the word "years," in line 17, page 2, printed resolution, the words "and for unpaid teachers' salaries for the fiftieth fiscal year."

Amendment adopted.

Senate Constitutional Amendment No. 15 ordered to print.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers.

Passed on file.

Senate Constitutional Amendment No. 22—Relating to the judiciary and establishing Courts of Appeal.

Passed on file.

Senate Bill No. 73—An Act for the relief of district agricultural associations, and appropriating money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Brown, Burnett, Clark, Cosper, Cowan, Dale, Devoto, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Hoey, Huber, Johnson, Kelsey, Knowland, La Barea, Le Baron, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Melick, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—48.

NOES—Messrs. Lardner and Raw—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly engrossed: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

Also (reengrossed): Assembly Bills Nos. 672 and 567.

Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No. 567—An Act to provide for the formation of new counties, and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new formed counties and the county or counties from which they are formed.

RICKARD, Chairman.

Assembly Bills Nos. 672 and 567 ordered on file for final passage.

MOTION.

Mr. Johnson moved that the special order for this hour be postponed until after consideration of pending bill—Senate Bill No. 530.

So ordered.

Senate Bill No. 530—An Act to add a new section to the Penal Code of the State of California, to be known as Section 258, relating to libel.

Read third time.

Mr. Melick moved that a select committee of one be appointed to amend Senate Bill No. 530 as follows:

Amend by striking out of Section 1, line 22, the words "owner, publisher, or proprietor," and inserting the word "writer."

Also: Amend by striking out of Section 1, line 12, the words "any owner, proprietor, or publisher of any newspaper or other printed publication, printed or published in this State, who shall publish," and inserting the following: "any writer who shall cause to be published."

Also: Amend by striking out of Section 2, line 1, the word "action" and inserting the word "act."

Also: Amend by striking out of Section 1, line 24, the words "one half of the recovery to be paid into the Treasury of this State by the plaintiff, and the other half to be retained by the plaintiff in such action," and inserting the following: "such recovery shall be paid into the Treasury of this State."

The roll was called, and the motion lost by the following vote:

AYES—Messrs Boone, Brooke, Burnett, Caminetti, Conrey, Crowder, Dale, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Mack, McDonald of Alameda, Melick, Milice, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, Wade, and Wardell—26

NOES—Messrs Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brown, Chynoweth, Clark, Clough, Cobb, Cosper, DeLancie, Devoto, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, O'Brien, Rickard, Eugene Sullivan, Valentine, White, Works, Wright, and Mr. Speaker—41.

Mr. Johnson moved the previous question, and pending decision on the order it was unanimously agreed that the bill be continued and made special order for two o'clock p. m.

MOTION.

Mr. Lundquist moved that the special order—the report of Committee on Attachés and Employés—be continued as special order for eight o'clock this evening.

So ordered.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 16, 1899. }

The hour of twelve o'clock m. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Braunhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Hall, Jones, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—37.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—80.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Wednesday, March 15, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Wednesday, March 15, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, Langford, La Rue, Pace, Prisk, and Sims—11.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr. received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	11 votes.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For John Rosenfeld—Mr. Crowley—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Glenn, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, and White—16.

For Marion De Vries—Messrs. Brooke and Wardell—2.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	19 votes.
U. S. Grant, Jr., received	21 votes.
Irving M. Scott received	3 votes.
Marion De Vries received	2 votes.
James D. Phelan received.....	2 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received	16 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	119
Necessary to a choice.....	60
W. H. L. Barnes received.....	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	29 votes.
Irving M. Scott received	6 votes.
Marion De Vries received	2 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	27 votes.
James D. Phelan received.....	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress, and another ballot was ordered.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Chapman, Curtin, Langford, La Rue, Prisk, and Sims—7.

For James D. Phelan—Senator Hall—1.

For R. F. De Valle—Senators Brauhart, Doty, and Dwyer—3.

For W. H. Alford—Senator Pace—1.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received	7 votes.
R. F. De Valle received	3 votes.
W. H. Alford received	1 vote.
James D. Phelan received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancey, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Mulice, Radcliff, Raub, Raw, and Works—21.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Marion De Vries—Mr. Brooke—1.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For Stephen M. White—Messrs. Caminetti, Cowan, Fairweather, Glenn, Mack, Sanford, Stewart, and White—8.

For John Rosenfeld—Mr. Crowley—1.

For W. H. Alford—Messrs. Boone and Meserve—2.

For R. F. Del Valle—Messrs. Feliz and Griffin—2.

For L. J. Dwyer—Messrs. Hanley, E. D. Sullivan, and Wardell—3.

For Patrick Reddy—Mr. O'Brien—1.

For George S. Patton—Mr. Mead—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	15 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	19 votes.
U. S. Grant, Jr., received.....	21 votes.
Irving M. Scott received.....	3 votes.
Marion De Vries received.....	1 vote.
James D. Phelan received.....	2 votes.
Stephen M. White received.....	8 votes.
John Rosenfeld received.....	1 vote.
W. H. Alford received.....	2 votes.
R. F. Del Valle received.....	2 votes.
L. J. Dwyer received.....	3 votes.
Patrick Reddy received.....	1 vote.
George S. Patton received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	119
Necessary to a choice.....	60
W. H. L. Barnes received.....	22 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	27 votes.
U. S. Grant, Jr., received.....	29 votes.
Irving M. Scott received.....	6 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	15 votes.
R. F. Del Valle received.....	5 votes.
W. H. Alford received.....	3 votes.
James D. Phelan received.....	3 votes.
George S. Patton received.....	1 vote.
Patrick Reddy received.....	1 vote.
L. J. Dwyer received.....	3 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

At twelve o'clock and fifty minutes p. m., Assemblyman Wade moved that the Joint Assembly do now adjourn until twelve o'clock m., Friday, March 17, 1899.

The ayes and noes were demanded by Assemblymen Wade and Dibble and Senator Boyce.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Bettman, Bulla, Burnett, Currier, Dickinson, Feeney, Gillette, Hoey, Laird, Leavitt, Luchsinger, Morehouse, Rowell, Shortridge, Simpson, and Wolfe—16.

NOES—Senators Ashe, Boyce, Braunhart, Chapman, Curtin, Cutter, Davis, Doty, Dwyer, Flint, Hall, Jones, La Rue, Maggard, Nutt, Pace, Prisk, Sims, Smith, Stratton, Taylor, and Trout—22.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Boynton, Brooke, Burnett, Clough, Cobb, Conrey, Cosper, Crowley, Devoto, Dibble, Fairweather, Felix, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Lundquist, Marvin, McKeen, Melick, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—42.

NOES—Messrs. Bliss, Blood, Boone, Brown, Caminetti, Cargill, Chynoweth, Clark, Cowan, Crowder, Dale, De Lancie, Dunlap, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Meserve, Milice, Muentner, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, Wardell, White, and Works—38.

Motion lost.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senator Hall—1.

Whole number of votes cast by Senators.....	38
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes
Irving M. Scott received	3 votes
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes
James D. Phelan received	1 vote

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, Robinson, and Valentine—15.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, and Works—21.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Bree—3.

For George S. Patton—Messrs. Boone, Brooke, Burnett, Caminetti, Fairweather, Griffin, Mead, Meserve, Sanford, and Wardell—10.

For Stephen M. White—Messrs. Cowan, Felz, Glenn, Hanley, Mack, O'Brien, Stewart, E. D. Sullivan, and White—9.
For John Rosenfeld—Mr. Crowley—1.
For James D. Phelan—Mr. Hoey—1

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	15 votes.
M. M. Estee received	1 vote.
D. M. Burns received	19 votes.
U. S. Grant, Jr., received	21 votes.
Irving M. Scott received	3 votes.
George S. Patton received	10 votes.
Stephen M. White received	9 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, .
announced the vote as follows:

Whole number of votes cast	118
Necessary to a choice	60
W. H. L. Barnes received	22 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	29 votes.
Irving M. Scott received	6 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	19 votes.
James D. Phelan received	2 votes.
George S. Patton received	10 votes.

And thereupon declared that the Joint Assembly had failed to elect a
Senator in Congress.

ADJOURNMENT.

At twelve o'clock and fifty-nine minutes p. m., Senator Leavitt moved
to adjourn until Friday, March 17, 1899, at twelve o'clock m.

Motion carried.

Whereupon the President of the Senate declared the Joint Assembly
adjourned until twelve o'clock m. of Friday, March 17, 1899.

IN ASSEMBLY.

RECESS.

At one o'clock p. m., the Assembly took a recess until two o'clock
p. m., under the rules.

REASSEMBLED.

The Assembly reconvened at two o'clock p. m.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report
that the following bills have been correctly enrolled: Assembly Bills Nos. 918, 968, 848,
934, 974, 929, 890, 856, 799, 801, 843, 900, 969, 881, 872, 876, 407, 864, and 891.

Assembly Bill No. 918—An Act to pay the claim of the Gonzales Tribune, and making
an appropriation therefor.

Assembly Bill No. 968—An Act making an appropriation to pay the claim of the
Williams Farmer, for advertising constitutional amendments

Assembly Bill No. 848—An Act making an appropriation to pay the claim of Events,
for advertising constitutional amendments.

Assembly Bill No. 934—An Act to appropriate the sum of \$300 to pay the claim of M. F. McFarland, for money due and owing the said M. F. McFarland from the State of California.

Assembly Bill No. 974—An Act to appropriate \$114 to pay the claim of the Fullerton Tribune, for advertising constitutional amendments.

Assembly Bill No. 929—An Act making an appropriation to pay the claim of the Merced Star, for advertising constitutional amendments.

Assembly Bill No. 890—An Act making an appropriation to pay the claim of the Big Valley Gazette, for advertising constitutional amendments for the year 1898.

Assembly Bill No. 856—An Act making an appropriation to pay the claim of the Appeal Publishing Company, for advertising constitutional amendments.

Assembly Bill No. 799—An Act providing for the allowance and payment of the claim of McNab & Cassidy, proprietors of the Petaluma Daily Argus, against the State of California, and making an appropriation therefor.

Assembly Bill No. 801—An Act providing for the payment of the claim of the Petaluma Printing Company against the State of California, and making an appropriation therefor.

Assembly Bill No. 843—An Act making an appropriation to pay the claim of W. D. Pennycook, publisher of the Vallejo Chronicle, for advertising constitutional amendments.

Assembly Bill No. 900—An Act making an appropriation to pay the claim of the Shasta County Democrat, for advertising constitutional amendments.

Assembly Bill No. 969—An Act to appropriate \$250 to pay the claim of M. C. Duffey, for publishing constitutional amendments.

Assembly Bill No. 881—An Act making an appropriation to pay the claim of the Trinity Journal, for publishing and advertising constitutional amendments.

Assembly Bill No. 872—An Act to appropriate the sum of \$200 to pay the claim of Phil B. Dankey, for printing constitutional amendments.

Assembly Bill No. 876—An Act to appropriate the sum of \$470 to pay the claim of E. C. Rust, for money due from the State of California.

Assembly Bill No. 407—An Act making an appropriation to pay the claim of The Capital, for advertising constitutional amendments.

Assembly Bill No. 864—An Act to provide for the payment for the advertising of constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 891—An Act making an appropriation to pay the claim of the Chico Daily Record, for advertising constitutional amendments.

And were presented to the Governor March 16, 1899, at eleven o'clock and fifty minutes A. M.

RICKARD, Chairman.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your conference committee appointed to consider Senate amendments to Assembly Bill No. 249 respectfully report that they are unable to agree, and therefore ask that a free conference committee be appointed to consider said bill.

MELICK, Chairman.

Report adopted.

The same committee was appointed as a committee of free conference.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Rules and Regulations, having had under consideration the resolution introduced by Mr. Mead, relating to the suspension of further action upon Assembly bills, now report the accompanying concurrent resolution, proposing a special joint rule as a substitute for said resolution of Mr. Mead, and recommend that said concurrent resolution be adopted:

ASSEMBLY CONCURRENT RESOLUTION No. 24.

"Resolved by the Assembly, the Senate concurring, That the following special joint rule be adopted:

SPECIAL JOINT RULE 1.

"After twelve o'clock midnight, March 16, 1899, no Assembly bills shall be passed by the Assembly except Assembly bills in conference, and no Senate bills shall be passed by the Senate except Senate bills in conference. This special joint rule shall not apply to the General Appropriation Bill, the Tax Levy Bill, or amendments to the County Government Act, and bills that have been delayed by notice of reconsideration."

DIBBLE, Chairman.

Resolution adopted.

Mr. Dibble moved that the resolution be immediately transmitted to the Senate.

So ordered.

STATEMENT.

By Mr. Mack:

SACRAMENTO, CAL., March 10, 1899

The State of California to Wendell McLaughlin, Dr.:

For reporting the proceedings of the committee appointed to investigate the matter of the contempt of George W. Ficks:

Per diem, one day	\$10 00
180 folios, two copies, at 25 cents	45 00

Total	\$55 00
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Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

WHEREAS, C. Wright, who is acting as extra engineer, is and has been working overtime by reason of the elevator service having been extended to eleven o'clock of each night, and is therefore compelled to make the necessary repairs to the elevator and engine after the elevator service has closed down at night, and is also compelled to work on Sundays, all to the end that the elevator service may not be interrupted during the daily and nightly sessions of the Assembly; and

WHEREAS, By reason of his services in making such repairs he has saved the State a large sum of money, which amount would necessarily have had to be expended had a less zealous or competent man been employed in his stead; therefore, be it

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of said C. Wright for the sum of \$78 (being \$2 per day from February 1 to March 11, 1899), and the State Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Also:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of \$168, and the Treasurer is instructed to pay the same from the Contingent Fund of the Assembly, in favor of Miss M. Peterson, for her services as clerk of Committee on Municipal Corporations, from February 1 to March 14, 1899, inclusive.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted

LUNDQUIST, Chairman.

MOTION.

Mr. Sanford moved to reconsider the vote whereby the previous question was ordered on Senate Bill No. 530.

Motion lost.

At two o'clock and forty minutes p. m., the Speaker called Mr. Belshaw to the chair.

Senate Bill No. 530—An Act to add a new section to the Penal Code of the State of California, to be known as Section 258, relating to libel.

Read third time.

The question now recurring on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Brown, Clark, Clough, Cobb, Cosper, Cowan, Crowley, De Lancey, Devoto, Dibble, Dunlap, Feliz, Glenn, Henry, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, Valentine, White, Works, and Wright—48.

NOES—Messrs. Boone, Brooke, Burnett, Caminetti, Cargill, Crowder, Dale, Fairweather, Griffin, Hoey, Meserve, Muenster, O'Brien, Radcliff, Raw, Robinson, Sanford, E. D. Sullivan, Wade, and Wardell—20.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Messrs. Melick and Feliz gave notice that on to-morrow they would move a reconsideration of the vote whereby Senate Bill No. 530 was this day finally passed.

Mr Feliz moved to reconsider the vote whereby the title was read and approved.

Motion lost.

MOTION.

Mr. Johnson moved that a "rush order" be sent the printer *in re* amendments to Senate Constitutional Amendment No. 15.

So ordered.

SENATE SPECIAL FILE.

Substitute for Senate Bill No. 684—An Act to appropriate the sum of \$150 to pay the claim of the Reporter Publishing Company, Vacaville, for money due and owing the said Reporter Publishing Company from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Cargill, Clark, Clough, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Kelsey, Knights, Knowland, La Barea, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raw, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, and Works—52.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 685—An Act to appropriate the sum of \$250 to pay the claim of George Roe, Vallejo Daily Times, for money due and owing the said George Roe, Vallejo Daily Times, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Cargill, Chynoweth, Clough, Crowder, Crowley, Dale, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Huber, Kelsey, Knowland, La Barea, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 692—An Act to appropriate the sum of \$200 to pay the claim of the Redwood City Democrat, for money due and owing the said Redwood City Democrat from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Cargill, Chynoweth, Crowder, Crowley, Dale, Dibble, Fairweather, Feliz, Glenn, Greenwell, Hanley, Huber, Kelley, Knowland, La Barea, Le Baron, Marvin,

McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radchff, Raub, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, White, and Works—46.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 694—An Act to appropriate the sum of \$150 to pay the claim of the River News, for money due and owing the said River News from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Cargill, Chynoweth, Crowder, Crowley, Dibble, Fairweather, Glenn, Greenwell, Hanley, Huber, Kelley, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Miller of San Francisco, Muentner, O'Brien, Pierce, Radchff, Raub, Rickard, Valentine, Wade, White, Works, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 638—An Act to appropriate the sum of \$175 to pay the claim of the Healdsburg Tribune, for money due and owing the said Healdsburg Tribune from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Cargill, Chynoweth, Clough, Crowder, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Huber, Kelley, Knights, La Barea, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, and Wright—44.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 640—An Act to appropriate the sum of \$175 to pay the claim of Cloverdale Reveille, for money due and owing the said Cloverdale Reveille from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Burnett, Caminetti, Cargill, Chynoweth, Cobb, Conrey, Crowder, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Huber, Kelley, Knights, Knowland, La Barea, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Stewart, E. D. Sullivan, Valentine, Wade, White, Works, and Wright—43.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 641—An Act to appropriate the sum of \$600 to pay the claim of Oakland Enquirer Publishing Company, for money due and owing the said Oakland Enquirer Publishing Company from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Crowley, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Hanley, Huber, Kelley, Knowland, La Barea, Le Baron, Lundquist, Mack, McDonald of

Alameda, McDonald of Tuolumne, Merrill, Merritt, Miller of Los Angeles, O'Brien, Pierce, Raub, Robinson, Stewart, Wade, White, Works, Wright, and Mr. Speaker—41.
NOES—None.

Title read and approved.

Substitute for Senate Bill No. 643—An Act to appropriate the sum of \$175 to pay the claim of the Placer Herald, for money due and owing the said Placer Herald from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Burnett, Caminetti, Chynoweth, Cobb, Conrey, Crowley, Devoto, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, Merritt, Miller of San Francisco, Muentner, O'Brien, Pierce, Raw, Stewart, Wade, Wardell, White, Works, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 644—An Act to appropriate the sum of \$175 to pay the claim of Mountain Democrat, Placerville (G. & J. Carpenter), for money due and owing the said Mountain Democrat, Placerville (G. & J. Carpenter), from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Clough, Conrey, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, McKeen, Mead, Merrill, O'Brien, Pierce, Raub, Rickard, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Wright—41.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 645—An Act to appropriate the sum of \$200 to pay the claim of Jewish Times-Observer, for money due and owing the said Jewish Times-Observer from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Clark, Cobb, Crowley, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Knowland, Le Baron, Lardner, Mack, McDonald of Tuolumne, McKeen, Mead, Merrill, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Sanford, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—47.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Mr. Burnett called up Assembly Bill No. 567 (special order).

Assembly Bill No. 567—An Act to provide for the formation of new counties and the appointment and election of officers, location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed.

The question being on the final passage of the bill.

CALL OF THE HOUSE.

Pending roll call, Mr. Burnett moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Crowley, Dale, Devoto, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—69.

Mr. Caminetti moved that all present and refusing to vote be compelled to vote.

So ordered.

Mr. Marvin moved that further proceedings under call of the House be suspended.

So ordered.

The roll was called, and Assembly Bill No. 567 refused final passage by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Cobb, Cosper, Crowder, Dale, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hoey, Huber, Jilson, La Barea, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Milce, Muentner, O'Brien, Raw, Robinson, Wade, and Wardell—36.

NOES—Messrs. Belshaw, Bliss, Boynton, Chynoweth, Clough, Crowley, Dibble, Dunlap, Henry, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Lundquist, Marvin, McKeen, Melick, Meserve, Miller of Los Angeles, Pierce, Radcliff, Raub, Rickard, Stewart, E. D. Sullivan, Valentine, Works, and Wright—31.

MOTION.

Mr. Kelley moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day corrected Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of San Diego Vidette Company from the State of California—and herewith returns the same, corrected, to your honorable body.

Also: Amended, and passed as amended, Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 160 of said Act, relating to and providing for the government of counties of the third class.

Also: Assembly Bill No. 637—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act approved March 26, 1895, entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State.'"

Also: Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

And respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 160 of said Act, relating to and providing for county charges.

Mr. Kelley moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 38:

Amend by striking out of subdivision 7, Section 1, page 5, line 134, printed bill, the words "twenty-four hundred dollars per annum," and inserting in lieu thereof the following: "eighteen hundred dollars per annum, and the further sum of six hundred dollars per annum."

Also: Amend by striking out of subdivision 8, Section 1, page 7, line 217, printed bill, the words "one clerk," and inserting in lieu thereof the words "one chief clerk."

Also: Amend subdivision 11, Section 1, page 8, line 237, printed bill, by adding after the word "schools" the following: "*provided further*, that the Superintendent of Schools shall be allowed his actual expenses for transportation while in the discharge of his duties as Superintendent of Schools, and that he shall file a verified statement showing such actual expenses of transportation."

Also: Amend by adding a new section, which shall read as follows:

"Sec 2 This Act shall take effect immediately."

Also: Amend subdivision 9, Section 1, page 7, line 228, printed bill, by inserting after the word "law" the following: "*provided*, that in counties of this class the Coroner shall have the right to employ a clerk or stenographer without the consent of the District Attorney, for the purpose of reducing to writing, under his direction, the testimony and the deposition of all witnesses that he may call in any inquest proceedings."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Crowder, Dale, Dibble, Feliz, Glenn, Griffin, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Miller of Los Angeles, Pierce, Raub, Raw, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, and Wright—44.

NOES—None

Assembly Bill No. 38 ordered reëngrossed and to enrollment.

Assembly Bill No. 637 (Substitute for Assembly Bill No. 120)—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State," as amended by an Act of March 29, 1897, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties, and cities and counties, in the State."

Mr. Cobb moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 637:

Amend by striking out the words, in brackets, in lines 21, 22, and 23, page 2, printed bill and inserting in lieu thereof the following: "in the event of a vacancy in said committee on retirement, the Superintendent of Schools shall appoint another qualified person to fill said vacancy, who shall constitute a member of said committee on retirement until the next annual election."

Also: Amend by striking out the word "for" in line 74, page 4, printed bill, and inserting in lieu thereof the word "from"

Also: Amend by adding after the word "teachers," in line 11, page 6, printed bill, the words "annuity and."

Also: Amend by striking out the letter "s" in "Boards of Education," in line 28, page 6, printed bill.

Also: Amend by adding after the word "teachers," in line 6, page 2, printed bill, the words "annuity and."

Also: Amend by striking out the word "amended," in line 2, page 8, printed bill, and inserting in lieu thereof the word "repealed."

Also: Amend by striking out the word "the" before the word "Senate," in the enacting clause.

The roll was called, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Burnett, Chynoweth, Cobb, Conrey, Crowder, Crowley, Dale, Dibble, Dunlap, Feliz, Glenn, Johnson, Kelley, Kenneally, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKen, Mead, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Eugene Sullivan, E. D. Sullivan, and Wright—36

NOES—None

Mr. Cobb moved that a committee of free conference be appointed.
So ordered.

Assembly Bill No. 733 returned to Senate for correction.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1009 (case of urgency)—An Act to amend Sections 163, 167, 174, 196, 200, and 204 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 463 (case of urgency)—An Act to provide for the payment of \$180 to L. F. Eastin, proprietor of the Ventura Independent, for advertising constitutional amendments, and to make appropriation therefor.

Also: Assembly Bill No. 552—An Act placing all companies selling certificates, bonds, or debentures with coupons attached thereto, on the partial payment or installment plan, doing business in this State, under the supervision and control of the State Board of Bank Commissioners.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 1009, 463, and 552 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 320—An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation—and requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Cutter, Smith, and Sims as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Mr. Wade moved that the Assembly recede from its action *in re* Senate Bill No. 320.

Motion carried, and it was so ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as case of urgency, Assembly Bill No. 443—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$20,000.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 443 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and providing for the deposit of district records with County Recorders, and prescribing the effect to be given to recordation of notices of location and affidavits," approved March 27, 1897.

Also: Senate Bill No. 207—An Act to provide for the erection and equipment of a combined laundry, electric lighting, steam heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Senate Bill No. 422—An Act appropriating money for the repair and improvement of the buildings and grounds at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Assembly Bill No. 994—An Act to permit asexualization of inmates of the State hospitals and the California Home for the Care and Training of Feeble-Minded Children.

F. J. BRANDON, Secretary of Senate.

By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 140 and 994 ordered to enrollment.

Senate Bill No. 422—An Act appropriating money for the repair and improvement of the building and grounds at the Industrial Home of Mechanical Trades for the Adult Blind.

Read first time, and ordered on Senate special file.

Senate Bill No. 207—An Act to provide for the erection and equipment of a combined laundry, electric lighting, steam heating, and power

plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read first time, and ordered on Senate special file.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, and to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary

Assembly Bill No. 232 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 732—An Act to provide for the inspection of dairies, factories of dairy products, and of dairy products as to their sanitary condition, and as to the health of stock; to prevent the sale of milk and the products of milk drawn from diseased animals; to prevent the spread of infectious and contagious diseases common to stock, and to appropriate money therefor.

Also: Concurred in Assembly amendments to Senate Bill No. 461—An Act authorizing the Governor and the Attorney-General to purchase for the State of California certain lands in Humboldt Bay, and making an appropriation therefor.

Also: Concurred in Assembly Amendment No 1 and refused to concur in Assembly Amendment No 2 to Senate Bill No. 337—An Act to amend Section 591 of the Penal Code of the State of California—and requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Bulla, Sims, and Luchsinger as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Mr. Johnson moved that the Assembly do not recede, and that a committee of conference be appointed, and that the Assembly notify the Senate of its action.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 16 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendment to Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—and appointed Senators La Rue, Nutt, and Rowell as a committee of conference to meet a like committee from the Assembly

Also: Respectfully refused to concur in Assembly amendments to Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897—and requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Leavitt, Langford, and Stratton as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary

Mr. Dibble moved that the Assembly refuse to recede, and appoint a committee of conference.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 19, relative to adjournment.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No 542—An Act to amend Section

4 of an Act entitled an Act to amend Section 4 of an Act entitled "An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April 1, 1897; and making an appropriation to pay the salary and expenditures provided for and authorized by said Act for the remainder of the fiftieth and for the fifty-first and fifty-second fiscal years.

Also: Assembly Bill No. 811—An Act to appropriate the sum of \$2,000 to pay the claim of the Evening Post Publishing Company, for money due and owing the said Evening Post Publishing Company from the State of California.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Mr. Raw moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 542:

Amend the title by striking out the letter "s," at end of word "sections," in line 1.

Also: Strike out "and 6," in line 1

Also: Amend by striking out of the title all after the words "An Act," first line of title, and inserting in lieu thereof the following: "To amend Section 4 of an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and making an appropriation to pay the salary and expenditures provided for and authorized by said Act, for the remainder of the fiftieth and for the fifty-first and fifty-second fiscal years."

Also: Amend Section 1, line 36, by inserting the word "contract" after the word "contemplated."

Also: Amend by striking out of Section 1, line 57, the word "solely."

Also: Amend by striking out of Section 2, lines 1 and 2, the words "Section six is amended so as to read as follows: Section 6."

Also: Amend by striking out of Section 2, line 5, the word "this" and inserting the word "said."

Also: Amend by striking out of Section 2, line 9, the words "traveling expenses of" and inserting the following: "salary, traveling, and other expenses incurred by"

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Boynton, Brooke, Cargill, Chynoweth, Cobb, Conrey, Cosper, Devoto, Dibble, Fairweather, Glenn, Greenwell, Johnson, Kelley, Kelsey, Kenneally, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKee, Merritt, Miller of Los Angeles, Muenster, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—41.

NOES—None

Assembly Bill No. 542 ordered to enrollment.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing constitutional amendments submitted at the general election of 1898.

Mr. Rickard moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 811:

Amend by striking out of Section 1, line 3, the words "one thousand six," and inserting in lieu thereof "twenty-five."

Also: In line 4, Section 1, strike out the words "one thousand six," and insert in lieu thereof "twenty-five"

Also: Strike out of Section 2, line 3, the words "one thousand six," and insert in lieu thereof "twenty-five."

Also: Strike out of the title the figures "1600," and insert in lieu thereof the figures "2500."

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Barry, Belshaw, Bliss, Blood, Boynton, Caminetti, Chynoweth, Clark, Cobb, Conrey, Crowley, Devoto, Dibble, Fairweather, Feliz, Glenn, Griffin, Henry, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lardner, Marvin,

McDonald of Alameda, McKeen, Melick, Merritt, Miller of Los Angeles, Raub, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—45.
NOS.—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate requests the return of Assembly Bill No 1009 for further consideration, and respectfully asks that your honorable body will return same immediately

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. Belshaw moved that the request of the Senate be complied with.
So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 602—An Act to amend Section 2643 of the Political Code, relating to the road tax and its apportionment among road districts

Also Assembly Bill No. 583—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes.

Also: Assembly Bill No. 582—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Also: Assembly Bill No 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund moneys now in the San Francisco Depot Sinking Fund.

Also: Refused to pass Assembly Bill No 668—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

F. J. BRANDON, Secretary of Senate

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 602, 583, 582, and 334 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Also: Assembly Bill No 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States volunteer service in the Spanish-American war of 1898, their privileges and exemptions, and retirements, and providing for the return to the National Guard of such organizations, officers, and members

Also: Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873 to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Also: Assembly Bill No. 755—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

F. J. BRANDON, Secretary of Senate

Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

Mr. Valentine moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 996:

Amend by striking out all of line 262 and inserting the following: "one hundred and eighty-six thousand dollars."

Also: Amend by striking out of line 199 the words "three thousand five hundred," and inserting the following: "four thousand."

Also: Amend by striking out the word "fifteen," in line 128, page 4, printed bill, and inserting in lieu thereof the word "ten."

Also: Amend by striking out of lines 266 and 267 the words "one thousand two hundred," and inserting the following: "two thousand four hundred."

Also: Amend by striking out the word "two," in line 342, page 10, printed bill, and inserting in lieu thereof the word "one"

Also: Amend by inserting the following: "Pay of porter to Commissioners for Revision and Reform of the Law, four hundred and eighty dollars," between lines 373 and 374 of page 11, printed bill.

Also: Amend by inserting the following: "For printing, binding, ruling, and all other work performed and materials furnished by the State Printing Office to Commissioners for Revision and Reform of the Law, five thousand dollars," between lines 376 and 377 of page 11, printed bill.

Also: Amend by striking out of line 378 the word "fifty," and inserting the words "one thousand."

Also: Amend by striking out of line 262 the words "one hundred and sixty-one thousand six hundred," and inserting "one hundred and seventy-seven thousand five hundred."

Also: Amend by striking out all of lines 272 and 273.

Also: Amend by striking out the word "nine," in line 397, page 12, printed bill, and inserting in lieu thereof the word "four."

Also: Amend by striking out of Section 1, line 406, the words "and eighty-three thousand three hundred dollars," and inserting the following: "and ninety thousand and five hundred dollars."

Also: Amend by striking out the word "seven," in line 430, page 12, printed bill, and inserting in lieu thereof the word "five."

Also: Amend by striking out lines 457 and 458, page 13, printed bill.

Also: Amend by striking out the word "five," in line 491, page 14, printed bill, and inserting in lieu thereof the word "four."

Also: Amend by striking out the words "five thousand," in line 554, page 16, printed bill, and inserting in lieu thereof the words "and twenty-five hundred."

Also: Amend by inserting the following: "For support of the State Dairy Bureau, five thousand dollars," between lines 603 and 604, page 17, printed bill.

Also: Amend by striking out the words "four hundred and fifty," in lines 612 and 613, page 17, printed bill.

Also: Amend by striking out the words "two hundred and forty-five," in line 616, page 17, printed bill, and inserting in lieu thereof the following: "four hundred."

Also: Amend by striking out the words "thirty-five," in line 622, page 18, printed bill, and inserting in lieu thereof the following: "one hundred."

Also: Amend by striking out of page 18, line 625, the word "thirty-five," and inserting the following: "two hundred."

Also: Amend by striking out the words "five hundred," in line 638, page 18, printed bill, and inserting in lieu thereof the following: "one thousand."

Also: Amend by striking out of Section 1, line 599, the words "six hundred."

Also: Amend by inserting the following: "For printing, binding, ruling, and all other work performed and materials furnished by the State Printing Office to the Guardian of Sutter's Fort, seventeen dollars and fifty cents," between lines 657 and 658, page 19, printed bill.

Also: Amend by striking out of Section 1, line 662, the word "thirty," and inserting the following: "twenty."

Also: Amend Section 1, line 668, by inserting after the word "pool-selling" the words "and book-making."

Also: Amend by inserting in line 771, after the word "pool-selling" the words "and book-making."

Also: Amend by striking out of Section 1, line 770, the words "and provided further, that," and all of lines 771 and 772, to and including the word "hereby."

Also: Amend by inserting after line 762, page 21, printed bill, the following: "It is hereby provided that any district agricultural society may use the whole amount hereby appropriated for one fair, but if it be so used, the said fair must be held during the fifty-second fiscal year."

The roll was called, and Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Boone, Boynton, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Devoto, Dibble, Fairweather, Felix, Glenn, Greenwell, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelley, Kelsey, Kennaally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 996 ordered to reëngrossment and enrollment.

Assembly Bill No. 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States volunteer service in the Spanish-American War of 1898, their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California.

Mr. Chynoweth moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 789:

Amend the title by striking out all after "and" in line 4, and inserting in lieu thereof the following: "retirements, and providing for the return to the National Guard of such organization, officers, and members"

Also: Amend by striking out of Section 1, after the word "ninety-eight" in line 5, and inserting in lieu thereof as follows: "and have been discharged therefrom, are hereby granted leave of absence from the time of their mustering into the United States volunteer service until being mustered out of the same, and that within one hundred and fifty days from their being so mustered out they may report for duty to the Brigadier-General of the brigade from which they went, if a regiment, or to the commanding officer of the regiment or battalion from which they went, if a company or division, and they shall at once be recognized as belonging to the National Guard and returned to duty as the company, division, battalion, or regiment which they were at the time they entered said volunteer service, and any company or division not having the minimum number required by law shall recruit up to the requisite number within the time specified."

"All officers of such companies, divisions, battalions, and regiments as entered said volunteer service, and shall return to the National Guard, as above provided for, shall continue to serve under the commissions held by them at the time they entered the said volunteer service for the unexpired portion of their respective commissions, the same as if they had not entered such volunteer service, and had remained continuously in the National Guard"

"Those officers of the National Guard who entered said volunteer service, but whose term of office would have expired had they remained in the National Guard, are hereby granted all the privileges, exemptions, and retirements up to the date of their being mustered out of said volunteer service, the same as if they had remained in the National Guard; and, should they return to duty within the time herein provided, and be reelected to any commissioned office as provided by law, their time shall be continuous for all purposes, as if their said term had not expired"

"Officers and members of the regiments, battalions, companies, and divisions of the National Guard who did enter the said volunteer service with their respective commands, if they report for duty with such commands, provided they resume their places in the National Guard as above provided for, are granted continuous service, as in the National Guard, for all purposes up to such time as they so report; those who do not so report are hereby granted honorable discharge from the National Guard as of the date of the mustering into said volunteer service of their respective organizations"

Also: Amend by striking out of Section 2 all after the word "and," in line 8, and inserting as follows: "fifty days to those already mustered out of said service, and such time as may be provided under this Act for those not yet mustered out of such service, to the time when he shall report for duty in the National Guard, as hereinbefore provided, and the same shall apply to any volunteer whose term of service in the National Guard expires before being mustered out of said volunteer service, or who reenters the National Guard within the time provided for in this Act."

Also: Amend by striking out Sections 3 and 4 of said bill, and adding three new sections to said bill to be numbered 3, 4, and 5, to read as follows:

"Sec. 3. The Governor is hereby authorized and empowered to prescribe the time for the reentry into the National Guard of those organizations, officers, and members who entered in said volunteer service, but have not yet been discharged therefrom, after they have been so discharged, and they may reenter the National Guard upon the terms and conditions, except as to time, provided in this Act, and they are hereby granted leave of absence for the entire period they have been or may be in said volunteer service"

"Sec. 4. No organization, officer, or member hereby granted leave of absence shall draw or be allowed any pay, allowance, money, or property from the State of California for the time or any portion of, the time they are hereby granted leave of absence, but all organizations shall be entitled to all military allowances provided by law as soon as they are recruited up to the minimum required by law and that fact is reported to and approved by the Governor."

"Sec. 5. This Act shall take effect immediately."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Caninetti, Chynoweth, Clark, Cobb, Conrey, Cowan, Crowley, Dibble, Fairweather, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kennally, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 789 ordered to reingrossment and enrollment.

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Mr. Conrey moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 252:

Amend by striking out of Section 3, line 1, the word "immediately," and inserting the following: "January first, nineteen hundred"

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Caminetti, Chynoweth, Clark, Conrey, Cosper, Cowan, Crowder, Crowley, Devoto, Dibble, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of San Francisco, Pierce, Raub, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, Works, and Wright—52.
NOES—None.

Assembly Bill No. 252 ordered to reëngrossment and enrollment.

Assembly Bill No. 755 (Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Mr. Atherton moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 755:

Amend by striking out of Section 5, line 1, the word "thirty" and inserting the following: "twenty."

Also: Amend by striking out of Section 5, line 7, the word "fifteen" and inserting the following: "ten."

Also: Amend by striking out of Section 5, line 8, the word "fifteen" and inserting the following: "ten"

Also: Amend by inserting the following at the end of Section 5: "*provided, however, that the total expenditure shall not exceed the amount appropriated by this Act, and that no deficiency shall be created by the State Board of Examiners.*"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Fairweather, Feliz, Greenwell, Griffin, Hanley, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 755 ordered to reëngrossment and enrollment.

RECONSIDERATION.

In compliance with the notice given on yesterday by Mr. E. D. Sullivan, Mr. Wright moved a reconsideration of the vote whereby Assembly Bill No. 359 was refused passage, and further moved to lay the motion on the table.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State
101—A

of California an amendment to Section 8 of Article XI of the Constitution of the State of California, relating to charities—report the same back, and recommend that it do pass.

JOHNSON, Chairman.

Senate Constitutional Amendment No. 23 ordered on Senate special file.

RESOLUTION—(CASE OF URGENCY).

By Mr. Works:

Resolved, That Senate Bill No. 650 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Devoto, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, O'Brien, Pierce, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—57.

NOES—None.

Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of San Diego Vidette Company, for money due and owing the said San Diego Vidette Company from the State of California.

Read second time.

Mr. Works moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 650.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 650 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of San Diego Vidette Company, for money due and owing the said San Diego Vidette Company from the State of California—and do now report, and recommend that the same do pass

ANDERSON, Chairman.

Report adopted.

Senate Bill No. 650—An Act to appropriate the sum of \$750 to pay the claim of San Diego Vidette Company, for money due and owing the said San Diego Vidette Company from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cowan, Crowder, Crowley, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Muller of San Francisco, O'Brien, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—63

NOES—Mr. Robinson—1.

Title read and approved.

MOTION.

Mr. Johnson moved that permission be granted by the Assembly to introduce the accompanying bill, and offered the following explanation:

Sacramento City wishes to issue \$400,000 of city bonds to raise funds to make necessary improvements. Upon examination of the statutes our City Attorney reports that they cannot legally be issued because the law of 1889 was accidentally repealed by the Act of 1897.

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER. Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same, with the recommendation that the author be permitted to introduce it. The number of said bill is No. 1014.

COBB, Chairman.

The question being on the suspension of the constitutional provision to allow the introduction of bills.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cammett, Cargill, Chynoweth, Clark, Clough, Cobb, Crowder, Crowley, De Lancie, Devoto, Dibble, Fairweather, Felz, Greenwell, Griffin, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milne, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—61.

NOES—None

INTRODUCTION OF BILL.

By Mr. Johnson: Assembly Bill No. 1014—An Act to amend an Act of 1889, approved March 19, 1889, authorizing incurring indebtedness by cities, towns, etc., and to repeal an Act approved March 9, 1885, and repeal an Act of March 15, 1887, etc.

Read first time, and, on motion of Mr. Johnson, made special order for immediately after the consideration of report of Committee on Attachés and Employés.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your committee of free conference concerning Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act—report that we have met a like committee of the Senate, consisting of Senators Currier, Luchsinger, and Doty, and we report that the free conference committee agreed upon and recommend:

First—That the Senate recede from its amendment No. 1.

Second—That Senate Amendment No. 2 be amended to read as follows: "*provided, that in case of animal tankage sold as such for manurial purposes, a deficiency of not more than one per cent of nitrogen, or one and one half per cent of phosphoric acid, or one half of one per cent of potash, shall not subject the manufacturer to the penalties provided in this Act.*"

MELICK, Chairman

Report and amendment adopted, and bill ordered to print.

MOTION.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and adopted as amended, Assembly Concurrent Resolution No. 24—Relative to the adoption of a special joint rule affecting the consideration of bills during the remainder of the session.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Concurrent Resolution No. 24—Relative to the adoption of Assembly special joint rule affecting the consideration of bills during the remainder of the session.

Mr. Dibble moved that the Assembly concur in the Senate amendment:

Amend by inserting after the words "General Appropriation Bill" the words "constitutional amendments, bills for the support of and claims against State institutions, repairs to State buildings, for the relief and support of State commissioners and officers."

Motion carried, and it was so ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of Chief Clerk Kyle for the sum of \$41 99 for the purpose of paying the attached bill, and the Treasurer of State is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

SACRAMENTO, March 3, 1899.

Members of Assembly to Western Union Telegraph Co, Dr

March 3—Cable telegram to Admiral Dewey, Manila, 17 words @ \$2 47 per word.. \$41 99

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

VALENTINE, Chairman.

Ordered printed in Journal.

Also

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 325—An Act to provide for the erection of buildings, and certain improvements for the University of California and its affiliated colleges, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman.

Senate Bill No. 325 ordered on Senate special file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 249—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, by amending Section 3 thereof, relating to the enumeration of the inhabitants of a city or town—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 273—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations discontinued under the provisions of an Act of the Legislature of the State of California entitled "An Act to provide for the discontinuation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds or more in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town—have had the same under consideration, and respectfully report the same back without recommendation.

RAW, Chairman.

Senate Bills No. 249 and 273 ordered on Senate special file.

MOTION.

Mr. Merrill moved that the Assembly do now consider Assembly Joint Resolution No. 21.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 21.

Relating to the restraint of interstate traffic in convict-made goods.

WHEREAS, Hon. A. V. S. Cochrane, of New York, on March thirty-first, eighteen hundred and ninety-eight, has introduced in the National House of Representatives a bill entitled "A bill to protect free labor from prison competition," which bill provides for the branding or stamping in a legible manner all prison made goods, giving the name of the penitentiary, prison, reformatory, or penal institution, and of the city, town, or village, and State or Territory, where made (H. R. 9334, Fifty-fifth Congress, second session); and

WHEREAS, Free labor and the manufacturing industries in the State of California suffer particularly from the large importation and sale of convict-made goods, the product of other States; and

WHEREAS, This unjust and vicious competition can only be met by judicious legislation by our National Government; therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That we instruct our Senators and earnestly request our Representatives in Congress from this State, that they use every means in their power to effect such legislation as shall assure the restraint of traffic of convict-made goods to the States or Territories in which they are manufactured, and to cause all goods, wares, and merchandise made or manufactured in whole or in part, in any State or Territory, by convicts, to be branded or stamped as such in a manner conforming to the provisions of the said Cochrane bill, and be it further

Resolved, That the Secretary of State is hereby instructed to forward certified copies of the foregoing resolutions to the Senators and Representatives from this State in the fifty-fifth and fifty-sixth Congresses.

Resolution read and adopted.

At five o'clock and fifty-five minutes P. M., on motion of Mr. Kenneally, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M. Speaker Anderson in the chair.

SPECIAL ORDER—REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

Mr. Caminetti moved that the report of Committee on Attachés and Employés be made special order for Saturday afternoon at two o'clock.

Mr. Kenneally moved to amend by making it ten o'clock and thirty minutes A. M. of Saturday.

So ordered.

Motion, as amended, adopted.

RESOLUTION.

By Mr. Le Baron:

WHEREAS, Your Committee on Dairies and Dairy Products, having had before it several bills, the authors of which requested a report; and

WHEREAS, Said committee having had no clerk, the committee appointed a clerk to act, which he did from January 15, 1899, to February 1, 1899, inclusive, the time when a clerk was assigned to said committee; therefore, as he has gone home, be it

Resolved, That the State Controller be directed to draw his warrant in favor of C. W. Atherton (authorized by said clerk to collect same), for the sum of \$72 for such services (it being for eighteen days at a per diem of \$4 per day), payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Made special order, to be considered at ten o'clock and thirty minutes A. M. on Saturday.

Mr. McDonald of Alameda called up, by unanimous consent, Senate Bill No. 218, to approve title.

Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks and banking and deposit institutions to publish sworn statements of unclaimed deposits.

Title read and approved.

MOTION.

Mr. Feliz moved that Assembly Bill No. 883 be now considered.

So ordered.

Assembly Bill No. 883—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing proposed constitutional amendments.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Boone, Boynton, Burnett, Caminetti, Chynoweth, Cobb, Cosper, Cowan, Crowley, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Hoey, Jilson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Muenter, O'Brien, Pierce, Raub, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Mr. Speaker—49.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Burnett gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 567 was this day refused final passage.

THIRD-READING TITLE.

Assembly Bill No. 570—An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the fees to be collected by the Secretary of State for services rendered by him in his official capacity.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin, Huber, Jilson, Johnson, Kelsey, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Raub, Eugene Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—54.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Mr. Crowley called up for consideration Assembly Bill No. 949.

Assembly Bill No. 949—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane.

Read second time, ordered to engrossment and third reading.

SPECIAL URGENCY FILE.

Assembly Bill No. 889—An Act making transfer checks or tickets issued to a passenger on any street cars operated in any city and county in this State transferable, and conferring on the transferee thereof all the rights and privileges of original holder, and providing a punishment for the violation thereof.

There being more than seven objectors, under the rules, the bill was refused consideration at this time.

SPECIAL ORDER.

Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belsaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cospers, Cowan, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milce, Muentert, O'Brien, Pierce, Rickard, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, Works, and Mr. Speaker—56.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly engrossed: Assembly Constitutional Amendment No. 25—Relative to the expression by ballot by the people of their preference for the office of United States Senator.

Also: That the following bill has been correctly reengrossed: Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and denning the offense of burning buildings and other property not subject to arson, and specifying the penalty therefor.

RICKARD, Chairman.

Assembly Constitutional Amendment No. 25 ordered on file.

Assembly Bill No. 793 ordered to third reading.

THIRD-READING FILE — (RESUMED).

Mr. Feliz asked leave to bring up Assembly Bill No. 658 for consideration.

Leave granted.

Assembly Bill No. 658—An Act to prevent the use of paranzella or drag-net in the waters of this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Cobb, Cosper, Cowan, De Lancie, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—53.

NOES—Messrs. Caminetti, Cargill, Chynoweth, Dale, McDonald of Alameda, McDonald of Tuolumne—6.

Title read and approved.

Mr. Robinson moved to call up Assembly Bill No. 226 for consideration at this time.

So ordered.

Assembly Bill No. 226—An Act amending Section 2 of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, relating to the taking of samples from mines, and for the better protection of the stockholders in mining corporations.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Huber, Johnson, Kelley, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Feliz was granted leave of absence for the evening.

THIRD-READING FILE—(RESUMED).

Mr. De Lancie moved to call up Assembly Bill No. 198 at this time.

So ordered.

Assembly Bill No. 198—An Act entitled an Act to amend Section 1858 of the Political Code of this State.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Burnett, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 672—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Burnett, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowley, Dale,

De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Jilson, Johnson, Kelley, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raw, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—57
NOES—None.

Title read and approved.

File No. 110 passed on file.

MOTION.

Mr. Atherton moved that Mr. Stewart be allowed to take up a Senate bill and make it a special order for to-morrow.

So ordered.

SPECIAL ORDER.

Mr. E. D. Sullivan called up the special order for the day, Assembly Bill No. 952.

Assembly Bill No. 952—An Act to provide for the appointment of a State Quarantine Officer, etc.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Brooke, Caminetti, Cargill, Cosper, Cowan, Crowley, Devoto, Dibble, Fairweather, Glenn, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Knowland, La Barea, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Works, and Wright—45.

NOES—Messrs. Boynton, Brown, Chynoweth, Clark, Cobb, Conrey, Crowder, De Lancie, Knights, Le Baron, Lardner, Meserve, Milice, Miller of Los Angeles, Rickard, Stewart, Wade, Wardell, and Mr. Speaker—19

Title read and approved.

NOTICES OF MOTIONS TO RECONSIDER.

Mr. Knowland gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 952 was this day finally passed.

Mr. Works gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 567 was this day finally passed.

MOTIONS.

Mr. O'Brien moved to continue the motion to reconsider as made by Mr. Hanley on Assembly Bill No. 20 until to-morrow.

So ordered.

Mr. Dunlap moved to substitute Assembly Bill No. 624 for Assembly Bill No. 820.

So ordered.

Assembly Bill No. 624—An Act to authorize the Board of Managers of the Stockton State Hospital at Stockton to purchase lands for farm and dairy purposes for the use of the Stockton State Hospital at Stockton, under the control of said Board of Managers, and to construct necessary farm buildings and fencing thereon, and such other improvements as may be necessary for said purposes, and to purchase live-

stock, farming utensils, and other personal property necessary therefor, and appropriating money therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Boynton, Burnett, Caminetti, Cobb, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—54.

NOES—Mr. Chynoweth—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 904, 795, 915, 809, 785, 840, 875, 734, 906, 777, 736, 885, 766, 747, 958, 836, 803, 822, 903, 784, 865, 863, 790, 62, 554, and 4

Assembly Bill No 904—An Act making an appropriation to pay the claim of the Inyo Independent, for advertising constitutional amendments.

Assembly Bill No 795—An Act to provide for the payment of \$125 to F. B. Colver, the proprietor of the Labor World and Silver Champion, for advertising the constitutional amendments, and to make appropriation therefor.

Assembly Bill No. 915—An Act to provide for the payment of \$135 to Clark & Sharp, proprietors of the Madera Tribune, for advertising constitutional amendments, and making an appropriation therefor

Assembly Bill No. 809—An Act providing for the allowance and payment of the claim of the Town Talk Publishing Company against the State of California, and making appropriation therefor.

Assembly Bill No. 785—An Act to provide for the payment of \$200 to J. K. Spect, proprietor of the Willows Promoter, for advertising the constitutional amendments, and to make an appropriation therefor.

Assembly Bill No 840—An Act to appropriate the sum of \$308 to pay the claim of A. A. Taylor, the said sum of \$308 being now due and owing the said A. A. Taylor from the State of California.

Assembly Bill No. 875—An Act to appropriate the sum of \$300 to pay the claim of J. B. Sanford, for money due him from the State of California

Assembly Bill No 734—An Act to provide for the payment for the advertising of the constitutional amendments, and making an appropriation therefor.

Assembly Bill No. 906—An Act making an appropriation to pay the claim of Alfred Harrell, publisher of the Bakersfield Californian, for advertising constitutional amendments.

Assembly Bill No. 777—An Act making an appropriation to pay the claim of James McLatchy & Co., publishers of the Evening Bee, for advertising the constitutional amendments

Assembly Bill No. 736—An Act to appropriate the sum of \$575 to pay the claim of James H. Barry, for money due and owing to the said James H. Barry from the State of California.

Assembly Bill No. 885—An Act making an appropriation to pay the claim of the San Francisco News Letter, for advertising the constitutional amendments for the year 1898.

Assembly Bill No. 766—An Act to appropriate the sum of \$150 to pay the claim of J. L. Childs, for money due from the State of California

Assembly Bill No. 747—An Act making an appropriation to pay the claim of the Mountain Messenger, for advertising constitutional amendments.

Assembly Bill No 958—An Act making an appropriation to pay the claim of the Napa Journal, for advertising constitutional amendments for the year 1898.

Assembly Bill No. 836—An Act making an appropriation to pay the claim of the Herald Publishing Company, San José, for advertising the constitutional amendments for the year 1896.

Assembly Bill No. 803—An Act providing for the allowance and payment of the claim of Thomas M. Menthan, proprietor of the Healdsburg Enterprise, against the State of California, and making an appropriation therefor.

Assembly Bill No. 822—An Act to provide for the payment of \$180 to John McGonigle, the proprietor of the Ventura Democrat, for advertising constitutional amendments.

Assembly Bill No. 903—An Act making an appropriation to pay the claim of the Butchers' and Stockgrowers' Journal, for publishing constitutional amendments.

Assembly Bill No. 784—An Act to provide for the payment of \$200 to E. M. Sehorn, proprietor of the Daily Willows Journal, for the advertising of the constitutional amendments, and to make an appropriation therefor

Assembly Bill No. 865—An Act to provide for the claim of W. A. Spaulding of the Herald Publishing Company of Los Angeles.

Assembly Bill No. 863—An Act to provide for the payment of the claim of the Blue Lake Advocate, for the advertising of the constitutional amendments, and making an appropriation therefor

Assembly Bill No. 790—An Act making an appropriation to pay the claim of Allen B. Lemmon against the State, for publishing proposed constitutional amendments

Assembly Bill No. 62—An Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900; also, for providing a commission, salaries, and traveling expenses of commission and attachés.

Assembly Bill No. 554—An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by various State institutions, commissions, and officers, and directing the disposition of the same.

Assembly Bill No. 4—An Act to create an Exempt Fireman's Relief Fund in the several counties, cities and counties, cities, and towns of the State, and relating to the enrollment, formation into fire companies, and service as firemen of such exempt firemen.

And were presented to the Governor March 16, 1899, at five o'clock and thirty minutes P. M.

RICKARD, Chairman.

At nine o'clock and fifteen minutes P. M., the Speaker called Mr. Belshaw to the chair.

RECONSIDERATION.

In compliance with his notice given on yesterday, Mr. Merritt moved a reconsideration of the vote whereby Assembly Bill No. 986 was lost on yesterday.

The question being on the motion to reconsider.

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Blood, Boynton, Brooke, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Cowan, Devoto, Dibble, Dunlap, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Raw, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wardell, White, Works, and Mr. Speaker—46.

NOES—Mr. Conrey—1.

Assembly Bill No. 986—An Act to provide for the payment of the salary of the secretary of the State Engineer for the fortieth, forty-first, and forty-second fiscal years.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Cobb, Cosper, Cowan, Crowley, Devoto, Dibble, Glenn, Greenwell, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Pierce, Eugene Sullivan, E. D. Sullivan, and Works—43.

NOES—Messrs. Beecher, Brown, Chynoweth, Conrey, Dale, Fairweather, Lardner, Milice, Wade, and Wardell—10

Title read and approved.

Assembly Bill No. 980—An Act to amend Section 3930 of the Political Code, relating to the permanent boundary line between the counties of Amador and El Dorado.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Boone, Brooke, Caminetti, Cargill, Chynoweth, Clark, Cobb, Conrey, Cosper, Crowley, Devoto, Dibble, Dunlap, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally,

Knights, Le Baron, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Wardell, and Works—49.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 440, 283, 366, and 847.

Assembly Bill No. 440—An Act adding a new section to the Political Code of the State of California, to be numbered 2921, authorizing the granting by Boards of Supervisors to railroad corporations of franchises for the construction of wharves and piers for terminal purposes of such railroad corporations, when found necessary, without offering the same for sale, excepting from the operation of this Act any territory and property under the jurisdiction or control of any incorporated city or town or any Board of State Harbor Commissioners.

Assembly Bill No. 283—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes.

Assembly Bill No. 366—An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof.

Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

And were presented to the Governor March 16, 1899, at nine o'clock and twenty-five minutes P. M.

RICKARD, Chairman.

RESOLUTION—(CASE OF URGENCY).

By Mr. Muentner:

Resolved, That Assembly Bill No. 1011 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Cobb, Cosper, Cowan, Crowley, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, Works, and Wright—58.

NOES—None.

Assembly Bill No. 1011—An Act to amend Sections 146 and 164 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, and considered engrossed.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Conrey, Dale, Devoto, Dibble, Dunlap, Glenn, Hanley, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Rickard, Stewart, Wade, Wardell, and Works—48.

NOES—None.

Title read and approved.

MOTION.

Mr. Johnson moved that he be allowed to introduce the following urgency resolution.

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Johnson:

Resolved, That Assembly Bills Nos. 1010, 1014, 786, 949, and Senate Bills Nos. 47 and 249 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Crowley, Devoto, Dibble, Dunlap, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Merritt, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—56

NOES—Messrs Cosper, Dale, Griffin, McDonald of Tuolumne, and Miller of Los Angeles—5.

Assembly Bill No. 1010—An Act to amend Section 186 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, and considered engrossed

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Crowley, Devoto, Glenn, Greenwell, Hanley, Hoey, Huber, Jilson, Johnson, Kelley, Kenneally, Knowland, La Barea, Lardner, Mack, McDonald of Alameda, McKeen, Meserve, Rickard, Stewart, Wade, Wardell, White, Works, and Wright—41.

NOES—None.

Title read and approved.

Assembly Bill No. 1014—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring indebtedness, by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled an Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks; and also to repeal an Act approved March 15, 1887, entitled an Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State," by adding two new sections thereto, numbered 5½ and 7½, respectively, said new sections relating to the character, denomination, rate of interest, manner of issuance and sale of, and method of levy and collection of tax on municipality for payment of bonds issued in accordance with said Act.

Read second time, considered engrossed, and ordered to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Cowan, Crowley, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Lundquist, Mack, McKeen, Merritt, Miller of Los Angeles, Miller of San Francisco, Raw, Stewart, Wade, White, Works, and Wright—44.

NOES—Mr. Chynoweth—1.

Title read and approved.

Assembly Bill No. 786—An Act making an appropriation to pay the expenses of receiving the First Regiment of California Volunteers upon their return from the Philippine Islands.

Read second time.

Assembly Bill No. 949—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane, and making an appropriation therefor.

Read second time.

Senate Bill No. 47—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into Committee of the Whole, with Mr. Belshaw in the chair, for the purpose of considering Assembly Bills Nos. 949 and 786 and Senate Bill No. 47.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bills Nos. 949 and 786 and Senate Bill No. 47 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 949—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane.

Also: Assembly Bill No. 786—An Act making an appropriation to pay the expenses of receiving the First Regiment of California Volunteers upon their return from the Philippine Islands.

Also: Senate Bill No. 47—An Act to appropriate money for the improvement of the Harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay.

And do now report, and recommend that they do pass.

BELSHAW, Chairman.

Report adopted.

Assembly Bill No. 786—An Act making an appropriation to pay the expenses of receiving the First Regiment of California Volunteers upon their return from the Philippine Islands.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Bliss, Blood, Boynton, Burnett, Chynoweth, Clark, Clough, Cobb, Conrey, Crowley, Dibble, Fairweather, Glenn, Greenwell, Hanley, Hoey, Huber, Johnson, Kelley, Kenneally, Knights, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Miller of Los Angeles, Muenter, Pierce, Raw, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—47.

NOES—None.

Title read and approved.

Assembly Bill No. 949—An Act to provide for the exportation of

non-citizen inmates of the State Hospitals for the Insane, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Barry, Belshaw, Bliss, Blood, Chynoweth, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, Dibble, Fairweather, Glenn, Greenwell, Huber, Jilson, Johnson, Kelley, Kenneally, Knights, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Muentert, Pierce, Raw, Rickard, Eugene Sullivan, Wade, Wardell, White, Works, and Wright—43.

NOES—None

Title read and approved.

Senate Bill No. 47—An Act to appropriate money for the improvement of the Harbor of San Diego, by the Board of State Harbor Commissioners for San Diego Bay.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Clark, Cobb, Conrey, Crowder, Crowley, Dibble, Dunlap, Glenn, Greenwell, Griffin, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Muentert, Pierce, Raw, Sanford, E. D. Sullivan, Wade, Wardell, White, Works, and Wright—47.

NOES—None

Title read and approved.

Senate Bill No. 249—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, by amending Section 3 thereof, relating to the enumeration of the inhabitants of a city or town.

Read second time, considered engrossed, and ordered to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Blood, Boynton, Brooke, Cobb, Conrey, Cowan, Crowder, Crowley, Dale, Devoto, Dibble, Dunlap, Glenn, Greenwell, Griffin, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muentert, Pierce, E. D. Sullivan, Wade, Wardell, White, and Wright—45.

NOES—None.

Title read and approved.

Assembly Bill No. 638 (Substitute for Assembly Bills Nos. 297 and 298)—An Act to amend Sections 1770, 1771, 1773, 1774, 1775, 1790, and 1791 of the Political Code of the State of California, relating to County Boards of Education and City Boards of Examination.

Consideration of bill objected to at this time, there being more than seven objectors.

Passed on file.

Assembly Bill No. 839—An Act to provide for filling vacancies in the offices of incorporated cities where there has been a failure of election for more than two years, and the refusal of those last elected to continue in the discharge of duties of such offices until their successors are elected and qualified, and make provision for an election by the legally qualified electors of such incorporated cities to fill such offices; and to provide that the official acts of officers so provisionally appointed and processes served upon them shall be valid.

Consideration of bill objected to at this time, there being more than seven objectors.

Passed on file.

Assembly Bill No. 681—An Act to add a new section to the Political Code, to be known as Section 1890.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Chynoweth, Cobb, Conrey, Cosper, Crowly, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelley, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Stewart, Wardell, White, Works, and Wright—43.

NOES—None.

Title read and approved.

Mr. Kenneally moved to substitute Senate Bill No. 450 for 88 on file.

There being more than seven objections, order refused.

At ten o'clock and forty-five minutes P. M., the Speaker resumed the chair.

Mr. Cobb moved to substitute Assembly Bill No. 130 for 89 on file.

So ordered.

Assembly Bill No. 130—An Act to amend Sections 650, 651, 653, 658, 659, 660, 661, 662, 939, 940, 950, 951, 953, and 963 of the Code of Civil Procedure, relating to appeals, and the practice thereto; and to repeal Section 952 thereof, relating to the same subject.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Cobb, Conrey, Crowder, Crowly, Dibble, Fairweather, Glenn, Greenwell, Griffin, Huber, Jilson, Johnson, Kelley, Kenneally, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Stewart, Wade, Wardell, Works, Wright, and Mr. Speaker—41.

NOES—Messrs. Cosper, Cowan, Dale, Meserve, and Eugene Sullivan—5.

Title read and approved.

Mr. Huber moved that Assembly Bill No. 27 be made special order for to-morrow.

So ordered.

Assembly Bill No. 675—An Act fixing a bounty on coyote scalps.

Consideration of bill objected to by more than seven members, and passed on file.

Mr. Brooke moved to substitute Assembly Bill No. 692 for 91 on file.

So ordered.

Assembly Bill No. 692 (Substitute for Assembly Bill No. 330)—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the general permanent powers of Boards of Supervisors.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Brooke, Caminetti, Chynoweth, Conrey, Cosper, Cowan, Crowly, Dale, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Huber, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Works, Wright, and Mr. Speaker—44.

NOES—Mr. Wade—1.

Title read and approved.

Mr. Johnson moved that the bills passed be immediately transmitted to the Senate.

So ordered.

Mr. Belshaw moved to take up 85 on file, and substitute in place thereof Assembly Bill No. 779.

So ordered.

Assembly Bill No. 779—An Act to amend Section 667 of the Penal Code of the State of California, relating to second offenses after conviction of former offenses.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Brooke, Caminetti, Chynoweth, Clough, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Johnson, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of Los Angeles, Muentner, Pierce, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Mr. Valentine moved to substitute for his place on file Assembly Bill No. 754.

So ordered.

Assembly Bill No. 754—An Act making appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of Supreme Court for the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Caminetti, Cargill, Chynoweth, Clough, Conrey, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Meserve, Milice, Miller of Los Angeles, Muentner, Pierce, Rickard, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Mr. Fairweather moved to call up in place of 90 on file Assembly Bill No. 88.

Objections, and the bill was passed on file.

Mr. Miller of Los Angeles moved to substitute for 88 on file Assembly Bill No. 345.

So ordered.

Assembly Bill No. 345—An Act making an appropriation to pay the claim of Fred B. Blakeley, for the arrest of Ygnacio Eisler for attempted highway robbery.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Caminetti, Chynoweth, Clough, Cobb, Conrey, Cowan, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Griffin moved to call up in place of 90 on file Assembly Bill No. 569.

So ordered.

Assembly Bill No. 569—An Act to amend Section 602 of the Penal Code of the State of California, and to add a new subdivision thereto, to be known as subdivision 8, making it a misdemeanor for animals to trespass upon property of another.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clough, Crowley, De Lancie, Dibble, Fairweather, Glenn, Griffin, Hanley, Huber, Kenneally, Le Baron, Mack, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentert, O'Brien, Pierce, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, Works, Wright, and Mr. Speaker—42.

NOES—Messrs. Arnerich, Boone, Dale, Knights, and Wade—5.

Title read and approved.

MOTION.

Mr. Wright moved that Senate Bill No. 119 be recalled from the Committee on Ways and Means, and that it be now considered.

So ordered.

Senate Bill No. 119—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Read second time.

Mr. Wright moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 119.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 119 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 119—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum—and do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

MOTION.

Mr. Knights moved that Assembly Bill No. 694 be substituted for 93 on file.

So ordered.

Assembly Bill No. 694—An Act entitled "An Act to pay the claim of Fred Mason, for towel service furnished the Secretary of State during the forty-eighth fiscal year."

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Cobb, Conrey, Crowder, Devoto, Dibble, Dunlap, Fairweather, Glenn,

Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—54.

NOES—None

Title read and approved.

Mr. Clough moved to substitute for 94 on file Assembly Bill No. 723.

So ordered.

Assembly Bill No. 723—An Act to prohibit trespassing on locomotives, engines, freight or passenger cars, or trains, and to provide a punishment therefor.

Passed temporarily on file.

Mr. Hanley moved to substitute for 95 on file Assembly Bill No. 248.

So ordered.

Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clough, Cowan, Dibble, Fairweather, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Lardner, Mack, McDonald of Alameda, McKeen, Meserve, Milice, Muenter, O'Brien, Pierce, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, and Mr. Speaker—40

NOES—Mr. Crowley—1.

Title read and approved.

MOTIONS.

Mr. Dibble moved that all special orders be continued and made special orders for to-morrow.

So ordered.

Mr. Johnson moved that, *in re* Senate Bill No. 63, reconsideration be continued until to-morrow.

So ordered.

Mr. Clough moved to substitute for 94 on file Assembly Bill No. 179.

So ordered.

Assembly Bill No. 179—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Griffin, Hanley, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Meserve, Milice, Miller of San Francisco, Muenter, O'Brien, Pierce, Eugene Sullivan, Wade, Works, Wright, and Mr. Speaker—42.

NOES—None

Title read and approved.

Mr. Mead moved to substitute for 96 on file Assembly Bill No. 946.

So ordered.

Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School at San Diego, for mileage in attending the meetings of the Joint Board of Nor-

mal School Trustees, held at San José in June, 1897; at Los Angeles in April, 1898, and Sacramento in September, 1898.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Brown, Burnett, Caminetti, Clough, Cosper, Crowley, Dale, De Lancie, Dibble, Fairweather, Hanley, Hoey, Huber, Jilson, Johnson, Kenneally, Knights, Knowland, La Barce, Le Baron, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Meserve, Miller of San Francisco, O'Brien, Pierce, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Johnson:

Resolved, That the Secretary of State be and he is hereby directed to furnish to each member of the Assembly one copy of the published debates of the Constitutional Convention of 1879.

Resolution adopted.

SPECIAL ORDER.

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

Mr. Caminetti moved to refer Substitute for Senate Bills Nos. 58 and 194 to a select committee of one, with instructions to amend the same as follows:

AMENDMENT No. 1.

Strike out the word "forty," in line 64, page 6, printed bill, and insert the word "twenty."

AMENDMENT No. 2.

Strike out the words "one dollar," in line 81, page 7, printed bill, and insert the words "fifty cents."

AMENDMENT No. 3.

Strike out of line 90, page 7, printed bill, the word "thirty," and insert the word "twenty-five."

AMENDMENT No. 4.

Insert after the word "twenty," line 101, page 7, printed bill, the word "five."

AMENDMENT No. 5.

Add after word "mile" at end of line 101, page 7, the words "one way only "

AMENDMENT No. 6.

Strike out of line 102, page 7, printed bill, the words "both ways."

AMENDMENT No. 7.

Add after the word "mileage," line 105, page 7, in place of the period, the words "one way only."

AMENDMENT No. 8.

Strike out of line 110, page 8, the words "and a half."

AMENDMENT No. 9.

Insert after the word "copy," line 132, page 8, the words "when the copy is ordered by the Judge of the Superior Court"

AMENDMENT No. 10.

Strike out all of lines 146, 147, 148, and all in line 149, ending with the word "State," page 9, and insert in lieu thereof the following: "That in trials and other proceedings in civil actions, and in insolvency, probate, and other proceedings in the Superior Court, or before a court commissioner, or referee, where there is a contest or issue joined on, or

on objections filed, the parties thereto shall pay in advance each day to the clerk, to be by him paid into the County Treasury as and when other fees are by him paid therein, a reporter's per diem of seven and one half dollars, to be paid equally by such parties in the first instance, and the amount paid therefor by the prevailing party to be taxed and collected as other costs are taxed and collected in such actions or proceedings."

AMENDMENT No. 11.

Add a new paragraph following line 152, page 9, printed bill, to read as follows :
"This section shall take effect immediately."

AMENDMENT No. 12.

Add a new section to the bill, to read as follows :
"SEC. 4. All Acts and parts of Acts in conflict with this Act are hereby repealed."

AMENDMENT No. 13.

Insert after the enacting clause the following :
"SEC. 1. Section 188 of said Act is hereby amended to read as follows."

AMENDMENT No. 14.

Insert after line 132, page 5, the following :
"SEC. 2. Section 189 of said Act is hereby amended to read as follows."

AMENDMENT No. 15.

Insert immediately before words "Section 190," line 1, page 9, the following :
"SEC. 3. Section 190 of said Act is hereby amended to read as follows."

AMENDMENT No. 16.

Strike out in title all after the words "An Act" where they first occur therein and insert the following :

"To amend Sections 188, 189, and 190 of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897, relating to the compensation of official reporters of the Superior Court; and in Sections 188 and 189, relating also to the fees of Justices of the Peace and Constables, and in Section 188, also to the appointment and compensation of deputy license collectors."

Motion carried, and it was so ordered.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CAMINETTI, Committee

Report adopted.

Committee Substitute for Senate Bills Nos. 58 and 194 ordered to print and final passage.

MOTION.

Mr. Dibble moved that the Assembly do now consider messages from the Senate.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following case of urgency: Senate Bill No. 488—An Act to promote the reclamation, cultivation, and settlement of desert lands conditionally granted to the State of California by the Congress of the United States.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

Senate Bill No. 488—An Act to promote the reclamation, cultivation, and settlement of desert lands conditionally granted to the State of California by the Congress of the United States.

Read first time, and referred to Committee on Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 223—An Act to appropriate the sum of \$31 18 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Senate Bill No. 224—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun, for money due and owing the said Scott Calhoun from the State of California.

Senate Bill No. 225—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett for money due and owing the said M. G. Barrett from the State of California.

Senate Bill No. 265—An Act to amend Section 302 of the Civil Code, relating to the election of directors of corporations.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 223—An Act authorizing and directing the transfer of \$40,000 from the Railway Tax Contingent Fund to the State School Fund, in compliance with the provisions of Section 3668 of the Political Code.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 224—An Act transferring the sum of \$80,000 from the General Fund to the Estates of Deceased Persons Fund.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 225—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 265—An Act to amend Section 302 of the Civil Code, relating to the election of directors of corporations.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 712—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Senate Bill No. 183—An Act requiring the making and recording of maps of cities, towns, and additions to cities or towns, and subdivisions of lands into small lots or tracts for the purposes of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions, and additions thereto, before such maps are filed and recorded, and providing for the recording of maps now on file in Recorders' offices.

Senate Bill No. 263—An Act to amend Section 1895 of the Political Code of the State of California, relating to the persons subject to military duty, and to those who may constitute military organizations, in the military service of the State.

Cases of urgency.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 712—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 183—An Act requiring the making and recording of maps of cities, towns, and additions to cities and towns, and subdivisions of lands into small lots, or tracts, for the purpose of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto,

before such maps are filed and recorded, and providing for the recording of maps now on file in Recorders' offices.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 263—An Act to amend Section 1895 of the Political Code of the State of California, relating to the persons subject to military duty, and to those who may constitute military organizations, in the military service of the State.

Read first time, and referred to Committee on Military Affairs.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the committee of conference (first appointed) on Senate Bill No. 202 and concurred in the Assembly amendments to the bill, and respectfully request the return of the message relating to Senate Bill No. 202, wherein Senators Braunhart, Gillette, and Bulla are named as a committee of free conference on said bill, which message was inadvertently transmitted to your honorable body

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. Dibble moved that the request of Senate be complied with, and conference committee expunged from Journal.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 658—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Also: Senate Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General, for the fiftieth fiscal year.

Also: Senate Bill No. 271—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Cases of urgency.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 658—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Read first time, and ordered on Senate special file.

Senate Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read first time, and ordered on Senate special file.

Senate Bill No. 271—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Read first time, and ordered on Senate special file.

.Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day denied second reading to the following Assembly bills:

Assembly Bill No. 585—An Act to amend Section 529 of the Code of Civil Procedure of the State of California, relating to injunctions, approved April 15, 1880.

Assembly Bill No. 652—An Act to create a Board of Commissioners of Building and Loan Associations, to fix and prescribe its powers and duties, and to repeal all conflicting Acts

Assembly Bill No. 613—An Act requiring hotel and lodging-house keepers to keep ropes in sleeping-rooms to facilitate escape in case of fire.

Assembly Bill No. 908—An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses.

Assembly Bill No. 630—An Act to appropriate the sum of \$17,000 for the purpose of establishing a water sprinkling and pumping plant in the Yosemite Valley.

Assembly Bill No. 428—An Act to provide for the payment of the bounty due Joseph Schwindel under an Act entitled "An Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April 4, 1864, and making an appropriation therefor.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate withdraws its request that the Assembly return Assembly Bill No. 1009 to the Senate.

F. J. BRANDON, Secretary of Senate.

Assembly Bill No. 1009 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following Senate bills (cases of urgency):

Senate Bill No. 516—An Act to amend Section 1726 and Section 1732 of the Code of Civil Procedure of the State of California, relating to the duties of Public Administrator.

Senate Bill No. 287—An Act to amend Section 501 of the Civil Code of the State of California, relating to street railroad cars.

Senate Bill No. 171—An Act to amend Section 1 of an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883.

Senate Bill No. 724—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk and the deputy clerks of the Clerk of the Supreme Court.

Senate Bill No. 725—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California," and providing for the appointment of a chief deputy clerk and five deputy clerks of the Clerk of the Supreme Court.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 516—An Act to amend Sections 1726 and 1732 of the Code of Civil Procedure of the State of California, relating to the duties of Public Administrator.

Read first time, and ordered on Senate special file.

Senate Bill No. 287—An Act to amend Section 501 of the Civil Code of the State of California, relating to street railroad cars.

Read first time, and referred to Committee on Corporations.

Senate Bill No. 171—An Act to amend Section 1 of an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 724—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk and the deputy clerks of the Clerk of the Supreme Court."

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 725—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California," and providing for the appointment of a chief deputy clerk and five deputy clerks of the Clerk of the Supreme Court.

Read first time, and referred to Committee on Judiciary.

APPOINTMENT OF COMMITTEES.

The Speaker announced the appointment of the following committees of conference:

In re Senate Bill No. 337: Messrs. Miller of San Francisco, Miller of Los Angeles, and Caminetti.

In re Senate Bill No. 202: Messrs. Johnson, Boone, and Lardner.

In re Senate Bill No. 43: Messrs. Radcliff, Raw, and Kenneally.

ADJOURNMENT.

At twelve o'clock and twelve minutes A. M., on motion of Mr. Crowder, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, March 17, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 17, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, La Bree, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—69.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Thursday's Journal, the further reading was dispensed with, on motion of Mr. Knowland.

The Journal of Wednesday, March 15, 1899, was read and approved.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities—report the same back, with two amendments, and recommend its passage as amended.

JOHNSON, Chairman.

Mr. Johnson moved that Senate Bill No. 493 be now considered.
So ordered.

Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Read third time.

Passed on file.

MOTION.

Mr. Caminetti moved that the vote whereby substitute for Senate Bills Nos. 58 and 194 was sent to print be reconsidered.
So ordered.

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Mr. Caminetti moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert in line 133, page 8, printed bill, after the word "cases," the following: "subject to the provisions of this subdivision."

Also: Insert after the word "treasury," line 135, page 8, printed bill, the following: "provided, that no compensation for transcription of notes in other than civil actions or proceedings shall be paid to such reporter by the county, except in criminal cases appealed from said Superior Court."

Motion carried, and it was so ordered.

Mr. Caminetti was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your select committee of one, appointed to amend Substitute for Senate Bills Nos. 58 and 194, under special instructions, hereby reports same back, amended as directed.

CAMINETTI, Committee.

Report adopted.

Substitute for Senate Bills Nos. 58 and 194 ordered to print and final passage, with "rush order" to printer.

Mr. Knowland moved to reconsider the vote whereby Assembly Bill No. 952 was finally passed, and further moved to lay the motion to reconsider on the table.

So ordered.

REPORT OF STANDING COMMITTEE.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 287—An Act to amend Section 501 of the Civil Code of the State of California, relating to street railroad cars—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAUB, Chairman.

Senate Bill No. 287 ordered on Senate special file.

MOTION TO RECONSIDER.

Mr. Knowland moved to reconsider the vote whereby Assembly Bill No. 567 was refused final passage, and further moved to lay the motion to reconsider on the table.

So ordered.

RESOLUTIONS.

By Mr. Devoto:

Resolved, That L. Davis, Journal Clerk of the Assembly, and F. J. Murphy, his assistant, be and they are hereby employed after the final adjournment of the thirty-third session of the Legislature of the State of California, for the purpose of completing the work devolving upon them as Journal Clerks of the Assembly in comparing and delivering the corrected and approved Journals and the five bound copies of the same (as required by law) to the Chief Clerk of the Assembly, when completed, and that they each be allowed the sum of \$50 from and after the final adjournment of the thirty-third session of the Legislature, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants for the same, and the Treasurer is directed to pay the same.

Referred to Committee on Ways and Means, with instructions to report this afternoon.

By Mr. Valentine:

Resolved, That R. Q. Wickham, Minute Clerk, and Clarke Howard and A. P. Johnston, as assistants, be and are hereby employed to remain in Sacramento after final adjournment, and to properly paste together, arrange, and label the original minutes, which must be filed with the Secretary of State, and that for such services each is allowed the sum of \$100, payable out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrant for and the Treasurer to pay the same.

Referred to Committee on Ways and Means, with instructions to report this afternoon.

REPORT OF CONFERENCE COMMITTEE.

STATE CAPITOL, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your committee of conference, appointed to meet a like committee on the part of the Senate with reference to the disagreement between the two houses as to amendments made by the Assembly to Senate Bill No. 202, have had the same under consideration, and respectfully beg leave to report, recommending that the Senate concur in said amendments

BRAUNHART,
SMITH,
MOREHOUSE,
Senate Committee.
JOHNSON,
BOONE,
LARDNER,
Assembly Committee.

Report adopted.

SPECIAL ORDERS.

Mr. Dibble moved that Assembly Concurrent Resolution No. 12 be made special order to come up with constitutional amendments.

So ordered.

Mr. Caminetti moved that all constitutional amendments be temporarily passed on file.

So ordered.

Consideration of Governor's veto to Assembly Bill No. 5 made special order for Friday, March 17, 1899.

Assembly Bill No. 5—An Act to amend Sections 4, 5, 6, 10, 13, and 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Mr. Johnson moved that this special order be continued a special order for to-morrow.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 310—An Act to amend Section 13 and Section 32 of an Act entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof"—have had the same under consideration, and respectfully report the same back without recommendation.

BEISHAW, Chairman.

Assembly Bill No. 310 ordered on special file.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 442—An Act to amend Section 949 of the Code of Civil Procedure, relating to what cases wherein an appeal stays proceedings.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Barry, Beecher, Boynton, Brown, Clough, De Lancie, Dibble, Henry, Johnson, Kelsey, Knowland, Lardner, Marvin, Rickard, Wade, and Mr. Speaker—16

NOES—Messrs. Atherton, Beishaw, Bliss, Blood, Brooke, Burnett, Caminetti, Chynoweth, Conrey, Cosper, Cowan, Crowder, Devoto, Fairweather, Glenn, Greenwell, Grillin, Hanley, Huber, La Barea, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Muentner, Radcliff, Sanford, Eugene Sullivan, Valentine, Wardell, and White—37.

Senate Bill No. 464—An Act relating to permissive physical examination by Boards of School Trustees and City Boards of Education, and providing for a Bureau of Child Study.

Passed temporarily on file.

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Passed temporarily on file.

UNFINISHED BUSINESS.

Senate Bill No. 414—An Act to amend Sections 702 and 703 of the Code of Civil Procedure, relating to the redemption of property sold on execution.

Passed on file.

Senate Bill No. 29—An Act to establish the California Polytechnic School in the County of San Luis Obispo, California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 441—An Act to amend Section 7 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Consideration of Senate amendment to Assembly Bill No. 441.

Mr. Mead moved that the Assembly concur in the following Senate amendment to Assembly Bill No. 441:

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL NO. 441.

An Act to amend Section 1 of an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government, and municipal control of annexed territory," approved March 19, 1889.

The People of the State of California, represented in Senate and Assembly, do enact as follows.

SECTION 1. Section one of said Act is hereby amended so as to read:

Section 1. The boundaries of any incorporated town or city, whether heretofore or hereafter formed, incorporated, reincorporated, organized, or reorganized, may be altered, and new territory annexed thereto, incorporated and included therein, and made a part thereof, upon proceedings being had and taken as in this Act provided. The Council, Board of Trustees, or other legislative body of such municipal corporation, upon receiving a written petition therefor containing a description of the new territory asked to be annexed to such corporation, and signed by not less than one fifth in number of the qualified electors of such municipal corporation, computed upon the number of votes cast at the last general municipal election held therein, may in their discretion, without delay, submit to the electors of such municipal corporation, and to the electors residing in the territory proposed by such petition to be annexed to such corporation, the question whether such new territory shall be annexed to, incorporated in, and made a part of such municipal corporation; *provided*, that such legislative body may provide for submitting the question of annexing two or more separate districts of outside territory at the same election. Such question shall be submitted at a special election to be held for that purpose; and such legislative body is hereby empowered to and it shall be its duty to cause notice to be given of such election by the publication of a notice thereof in a newspaper printed and published in such municipal corporation, and also in a newspaper, if any such there be, printed and published outside of such corporation, but in the county in which the territory so proposed to be annexed is situated, in each case at least once a week for a period of four successive weeks next preceding the date of such election. Such notice shall distinctly state the proposition to be submitted, *i. e.*, that it is proposed to annex to, incorporate in, and make a part of such municipal corporation the territory sought to be annexed, specifically describing the boundaries thereof; and in said notice the qualified electors of said municipal corporation, and the qualified electors residing in said territory so proposed to be annexed, shall be invited to vote upon such proposition by placing upon their ballots the words "For annexation," or "Against annexation," or words equivalent thereto. If more than one annexation proposition is to be voted on at the same election, then on the ballots used within the corporate limits of such municipality the different outside districts shall be numbered, and shall be further described and designated by some name by which such district is usually known, the electors respectively in each of said districts so proposed to be annexed shall vote only on the question of annexation of such district in which he lives. Such legislative body is hereby empowered, and it shall be its duty, to establish, and in such notice of election designate, the voting precinct, or precincts, and the place, or places, at which the polls will be opened in such territory, or territories, as the case may be, so proposed to be annexed, and also in such municipal corporation. Such legislative body is empowered to, and it shall, appoint the officers of such election, who shall be, for each voting place in such municipal corporation, and for such voting place, in said new territory (and in each of them if there be more than one thus to be voted on), two judges and one inspector, each of whom shall be a qualified elector of the voting precincts in which he is appointed to act as an officer of such election. The ballots used at such an election, the opening and closing of the polls, and the holding and conducting of such an election, shall be in conformity, as far as may be, with the general laws of this State concerning elections; and the judges and inspectors of such election shall immediately, upon the closing of the polls, count the ballots, make up and certify the tally-sheets of the ballots cast at their respective polling places, seal, and then immediately return the same as below provided, doing so as near as practicable in the manner provided in the election laws of this State; but the ballots, tally-sheets, and returns shall be so returned to and deposited with the clerk of such legislative body. Such legislative body shall, at the time provided for its regular meeting next after the expiration of three days from and after the date of said election, meet and proceed to open and canvass said ballots, tally-sheets, and returns; and such canvass shall be completed at such meeting, if practicable, and in any event, as soon as practicable, avoiding adjournment or adjournments, if possible, until said canvass is completed. Such canvass by such legislative body shall be conducted and completed as follows: The ballots cast in such outside territory or territories so proposed to be annexed, together with the tally-sheets and returns belonging therewith, shall be canvassed separately; and the ballots cast inside of said municipal corporation, together with their tally-sheets and returns, shall be canvassed separately. Immediately upon the completion of such canvass said legislative body shall cause a record thereof to be made and entered upon its minutes, showing the whole number of ballots cast in such outside territory, or if the proposition for the annexation of more than one territory or district shall have been submitted, then in each of said territories respectively, the whole number of ballots cast in such municipal corporation, the number thereof cast in each in favor of annexation, and the number thereof cast in each against annexation; and if it appear from such canvass that a majority of all the ballots cast in any of the territories

sought to be annexed and a majority of all the ballots cast within the municipal corporation be for the annexation of such territory, the clerk, or other officer performing the duties of clerk, of such legislative body, shall promptly make and certify, under the seal of said municipal corporation, and transmit to the Secretary of State, a copy of said record so entered upon said minutes, together with a statement showing the date of said election and the time and result of said canvass, which document shall be filed by the Secretary of State immediately upon the receipt thereof. From and after the date of the filing of said document in the office of the Secretary of State, the annexation of such territory so proposed to be annexed shall be deemed and shall be complete, and thenceforth such annexed territory shall be, to all intents and purposes, a part of such municipal corporation, except only that no properties within such annexed territory shall ever be taxed to pay any portion of any indebtedness or liability of such municipal corporation contracted prior to or existing at the time of such annexation. No territory which, at the time such petition for such proposed annexation is presented to such legislative body, forms any part of any incorporated town or city, shall be annexed under the provisions of this Act.

SEC. 2. This Act shall take effect and be in force from and after its passage.

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Brooke, Burnett, Chynoweth, Clough, Conrey, Cosper, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Hanley, Henry, Huber, Johnson, Kelsey, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Radcliff, Raub, Rickard, Sanford, Stewart, Wardell, and Mr. Speaker—43.

NOES—Mr. Griffin—1

Substitute for Assembly Bill No. 441 ordered to print, reingrossment, and enrollment.

MOTION.

Mr. Dibble moved that the report of the Committee on Rules and Regulations, as published in Journal of March 13, 1899, be adopted.

Motion carried, and it was so ordered.

Assembly Bill No. 847—An Act to amend Section 2712 of the Political Code, relative to bridges, subways, and culverts.

Pending report of conference committee.

Stricken from the file.

Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

Pending report of free conference committee.

Passed on file.

Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish.

Pending report of conference committee.

Passed on file.

Assembly Bill No. 337—An Act to add a new section to the Penal Code of the State of California.

Pending report of conference committee.

Passed on file.

Assembly Bill No. 43—An Act assigning certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897.

Pending report of conference committee.

Passed on file.

MOTIONS.

Mr. Dibble moved that the Assembly do now take up and consider all local county government bills.

So ordered.

Mr. Johnson moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the immediate return of Assembly Bill No. 668 for further consideration.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

On motion of Mr. Johnson, request complied with.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your committee of conference concerning Senate Bill No. 337—An Act to amend Section 591 of the Penal Code of the State of California—report that we have met a like committee of the Senate, consisting of Senators Bulla, Sims, and Luchsinger, and we report that the conference committees are unable to agree, and we recommend the appointment of a committee of free conference.

H. W. MILLER, Chairman.

Report adopted.

RESOLUTION—(CASE OF URGENCY).

By Mr. Dibble:

Resolved, That Assembly Bills Nos. 917, 445, 446, 1012, and 1013 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times and placed upon their passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Bliss, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Cobb, Conrey, Cosper, Cowan, De Lancie, Dibble, Dunlap, Glenn, Greenwell, Griffin, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Wardell, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Boynton, Brown, Cargill, Chynoweth, Clark, Cobb, Cowan, Dibble, Dunlap, Fairweather, Glenn, Henry, Hoey, Jilson, Johnson, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Tuolumne, Mead, Melick, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Rickard, Sanford, Valentine, Wade, White, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Bill No. 446—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Boynton, Cargill, Chynoweth, Clark, Clough, Cobb, Cosper, Cowan, Dibble, Glenn, Greenwell, Griffin, Hoey, Huber, Jilson, Johnson, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Tuolumne, McKean, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Sanford, Valentine, Wardell, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Bill No. 1012—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Blood, Boynton, Brooke, Brown, Cargill, Chynoweth, Clark, Conrey, Cosper, Cowan, Dale, De Lancie, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Huber, Jilson, Johnson, Kenneally, La Barea, Le Baron, Mack, Marvin, McDonald of Tuolumne, McKean, Mead, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Sanford, Valentine, Wardell, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 1013—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, as applied to counties of the twenty-eighth class.

Read second time, ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Blood, Boone, Boynton, Brooke, Brown, Cargill, Chynoweth, Clark, Clough, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Greenwell, Griffin, Henry, Huber, Jilson, Johnson, Kenneally, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKean, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Sanford, Valentine, White, and Mr. Speaker—44.

NOES—None.

Title read and approved.

At eleven o'clock and fifteen minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution, in relation to sessions of the Legislature.

The question being on the adoption of the amendment.

The roll was called, and Constitutional Amendment No. 18 lost by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cowan, Crowder, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKean, Mead, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, Wardell, and White—51.

NOES—Messrs. Belshaw, Conrey, McDonald of Alameda, Melick, and Mr. Speaker—5.

Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 15—Relative to an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Pending roll call, Mr. Dibble moved that roll call be set aside, and that the constitutional amendment be sent back to the Senate for correction.

So ordered.

MOTIONS TO RECONSIDER.

Mr. Johnson moved to reconsider the vote whereby Senate Bill No. 530 was finally passed.

Mr. Dibble moved to lay the motion to reconsider on the table.

The ayes and noes were demanded by Messrs. Radcliff, Johnson, and Melick.

The roll was called, and the motion laid on the table by the following vote:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Chynoweth, Clark, Clough, Cobb, Cosper, Crowley, De Lancie, Devoto, Dibble, Dunlap, Henry, Huber, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Alameda, McKeen, Merrill, Merritt, Miller of San Francisco, Pierce, Raub, Rickard, Eugene Sullivan, Valentine, White, and Wright—42.

NOES—Messrs Burnett, Conrey, Fairweather, Feliz, Mack, McDonald of Tuolumne, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Radcliff, Robinson, Sanford, and Wade—15.

Mr. O'Brien moved to reconsider the vote whereby Assembly Bill No. 20 was finally passed.

Mr. Rickard moved to lay the motion on the table.

Motion lost.

The question recurring on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cosper, Cowan, Crowder, Crowley, Dale, De Lancie, Devoto, Dunlap, Fairweather, Feliz, Glenn, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, La Barea, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, White, and Wright—55.

NOES—Messrs. Dibble and Miller of Los Angeles—2.

RESOLUTION.

By Mr. Henry:

Resolved. That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$353 16 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per attached summary.

Tom Scott.....	\$8 50	
Tom Scott.....	12 00	
		\$20 50
Ed. O'Neill	\$9 25	
Washing towels	9 90	
Buffalo Ice Co.	20 00	
		39 15
Capital Water Co.	\$63 00	
Capital Water Co.	18 00	
		81 00

Sunset Telephone Co.	\$14 30	
Sunset Telephone Co.	6 00	
		\$20 30
Capital Transfer Co.	\$0 50	
T. R. Pulford	11 35	
John Breuner	43 50	
		55 35
Emil Steinmann	\$2 50	
Capital Electric Works	39 35	
United Typewriter & Supply Co	6 00	
Frank H. Veach	21 10	
J. L. Maude	4 15	
		73 10
H. S. Crocker & Co.	\$26 00	
Sacramento Planing Mill	32 00	
W. O. Banks	3 25	
Post Office	2 50	
		63 75
		\$353 15

Read, and referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No. 217—An Act to provide for redeeming real property sold to the State for delinquent taxes for years prior to 1893, for the payment of delinquent taxes for such years; providing for the deeds to be issued upon all real property sold to the State for such years, and from which sales there has been no redemption, authorizing suit to be brought for enforcing the lien for delinquent taxes for such years; requiring individual purchasers to procure tax deeds or relinquish their right to real property purchased at tax sales; providing within what time certain tax deeds shall be made, and providing that the Act shall apply to cities.

RICKARD, Chairman.

Assembly Bill No. 217 ordered on file for final passage.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills and constitutional amendment have been correctly engrossed: Assembly Bills Nos. 723 and 92 and Assembly Constitutional Amendment No. 4.

Assembly Bill No. 723—An Act to prohibit trespassing on locomotives, engines, freight or passenger cars, or trains, and to provide a punishment therefor.

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Assembly Constitutional Amendment No. 4—Relative to repealing Section 22 of Article VII, relating to Railroad Commissioners.

RICKARD, Chairman.

Assembly Bills Nos. 723 and 92 ordered on third-reading file.

Assembly Constitutional Amendment No. 4 ordered on special file.

The question now recurring on the final passage of Assembly Bill No. 20.

Assembly Bill No. 20—An Act to fix the fees of County Clerk.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Caminetti, Dibble, Henry, and Rickard—4.

NOES—Messrs. Atherton, Barry, Bliss, Blood, Boone, Boynton, Brown, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dunlap, Fairweather, Feliz, Glenn, Hoey, Johnson, Kelsey, Kenneally, Knights, Knowland, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentzer, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Wardell, and White—47.

The hour of twelve o'clock m. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 17, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Lieutenant-Governor Jacob H. Neff, President of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Bettman, Bulla, Burnett, Chapman, Currier, Curtin, Cutter, Dickinson, Doty, Dwyer, Flint, Gillette, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Trout, and Wolfe—33.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—80.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Thursday, March 16, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Thursday, March 16, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Chapman, Doty, La Rue, Prisk, and Sims—5.

For J. C. Sims—Senators Ashe and Dwyer—2.

For A. B. Butler—Senators Braunhart, Curtin, and Pace—3.

For James D. Phelan—Senator Hall—1.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	5 votes.
J. C. Sims received	2 votes.
A. B. Butler received	3 votes.
James D. Phelan received	1 vote.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentert, and Valentine—14

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Marion De Vries—Mr. E. D. Sullivan—1.

For Stephen M. White—Messrs. Glenn and Stewart—2.

For John Rosenfeld—Mr. Crowley—1.

For J. C. Sims—Messrs. Brooke and Mead—2.

For A. B. Butler—Messrs. Boone, Burnett, Caminetti, Cowan, Feliz, Griffin, Hanley, Hoey, Mack, Meserve, O'Brien, Sanford, Wardell, and White—14.

For Jesse R. Grant—Mr. Fairweather—1.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	19 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	3 votes.
Marion De Vries received	1 vote.
Stephen M. White received	2 votes.
John Rosenfeld received	1 vote.
J. C. Sims received	2 votes.
A. B. Butler received	14 votes.
Jesse R. Grant received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	6 votes.

Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	7 votes.
J. C. Sims received.....	4 votes.
A. B. Butler received.....	17 votes.
James D. Phelan received.....	1 vote.
Van R. Paterson received.....	1 vote.
Jesse R. Grant received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Chapman, Doty, and Sims—3.

For E. H. Hamilton—Senators Ashe, Pace, and Prisk—3.

For J. C. Sims—Senators Braunhart, Curtin, Dwyer, and La Rue—4.

For James D. Phelan—Senator Hall—1.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators.....	39
W. H. L. Barnes received.....	7 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	8 votes.
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	3 votes.
E. H. Hamilton received.....	3 votes.
J. C. Sims received.....	4 votes.
James D. Phelan received.....	1 vote.
Van R. Paterson received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milche, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Marion De Vries—Mr. Brooke—1.

For J. C. Sims—Messrs. Cowan, Feliz, Hanley, Mack, Meserve, Sanford, E. D. Sullivan, and Wardell—8.

For James D. Phelan—Messrs. Burnett and Hoey—2.

For Stephen M. White—Messrs. Glenn, Griffin, Stewart, and White—4.

For John Rosenfeld—Mr. Crowley—1.

For E. H. Hamilton—Mr. Boone—1.

For Jesse R. Grant—Messrs. Caminetti, Fairweather, and Mead—3.

For J. F. Smith—Mr. O'Brien—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	14 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	19 votes.

U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	3 votes.
Marion De Vries received	1 vote.
J. C. Sims received	8 votes.
James D. Phelan received	2 votes.
Stephen M. White received	4 votes.
John Rosenfeld received	1 vote.
E. H. Hamilton received	1 vote.
Jesse R. Grant received	3 votes.
J. F. Smith received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	119
Necessary to a choice	60
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	6 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	7 votes.
E. H. Hamilton received	4 votes.
J. C. Sims received	12 votes.
James D. Phelan received	3 votes.
Van R. Paterson received	1 vote.
Jesse R. Grant received	3 votes.
J. F. Smith received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M., Senator Prisk moved to adjourn until Saturday, March 18, 1899, at twelve o'clock M.
Motion carried.

Whereupon the President of the Senate declared the Joint Assembly adjourned until twelve o'clock M. of Saturday, March 18, 1899.

IN ASSEMBLY.

RECESS.

At twelve o'clock and forty-six minutes P. M., the Assembly took a recess until two o'clock P. M., under the rules.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.
Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 171—An Act to amend Section 1 of an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883.

Also: Senate Bill No. 724—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk and the deputy clerks of the Clerk of the Supreme Court."

Also: Senate Bill No. 725—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California," and providing for the appointment of a chief deputy clerk and five deputy clerks of the Clerk of the Supreme Court.

Also: Senate Bill No. 491—An Act to amend subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller.

Also: Senate Bill No. 265—An Act to amend Section 302 of the Civil Code, relating to the election of directors of corporations.

Also: Senate Bill No. 167—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Report the same back, and recommend that they do pass.

JOHNSON, Chairman.

Mr. Johnson moved that all bills in the foregoing report be taken up and given second reading at this time.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 171—An Act to amend Section 1 of an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1883.

Read second time, and ordered to third reading.

Senate Bill No. 724—An Act entitled "An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time and manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk and the deputy clerks of the Clerk of the Supreme Court."

Read second time, and ordered to third reading.

Senate Bill No. 725—An Act entitled "An Act to amend Section 751 of the Political Code of the State of California," and providing for the appointment of a chief deputy clerk and five deputy clerks of the Clerk of the Supreme Court.

Read second time, and ordered to third reading.

Senate Bill No. 491—An Act to amend subdivisions 9 and 18 of Section 433 of the Political Code, relating to the duties of the Controller.

Read second time, and ordered to third reading.

Senate Bill No. 265—An Act to amend Sections 302 of the Civil Code, relating to the election of directors of corporations.

Read second time, and ordered to third reading.

Senate Bill No. 167—An Act to amend Sections 939 and 963 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read second time, and ordered to third reading.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your committee of conference concerning Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish—report that we have met a like committee of the Senate, consisting of Senators Gillette, Boyce, and Hall, and we report that the conference committees have failed to agree, and respectfully ask the appointment of a committee of free conference.

BELSHAW, Chairman.

Mr. Belshaw moved that the report be adopted, and that a committee of free conference be appointed.

So ordered.

CORRECTION OF JOURNAL.

Mr. Cobb moved to correct the Journal of yesterday, on page 24, in these particulars, *in re* Assembly Bill No. 637:

First—To show that the amendments were not concurred in.

Second—To appoint a committee of free conference, and ask the Senate to appoint a similar committee.

Third—Strike out the order “to reengrossment and enrollment.”

So ordered.

MOTION.

Mr. Valentine moved to suspend the Assembly rule for the introduction of bills.

So ordered.

Mr. Valentine moved to suspend that portion of the Constitution that prohibits the introduction of bills after the fiftieth day, to allow the introduction of the Tax-Levy Bill.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Brooke, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Henry, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—56.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Valentine: Assembly Bill No. 1015—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read first time.

Mr. Valentine moved that a “rush order” to printer be made and the bill be made a special order as soon as it comes back this afternoon.

Motion carried.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899

MR. SPEAKER: Your committee of conference, concerning amended Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897—report that we have met a like committee of the Senate, consisting of Senators Stratton, Leavitt, and Langford, and we report that the conference committees have failed to agree, and further ask the appointment of a committee of free conference.

RADCLIFF, Chairman.

APPOINTMENT OF COMMITTEES OF FREE CONFERENCE.

The Speaker announced the appointment of the following committees of free conference:

In re Senate Bill No. 337—Messrs. Miller of Los Angeles, Valentine, and Johnson.

In re Senate Bill No. 43—Messrs. Dibble, Rickard, and Cowan.

In re Assembly Bill No. 365—Messrs. Boynton, Beecher, and Eugene Sullivan.

In re Assembly Bill No. 637—Messrs. Cobb, White, and O'Brien.

SENATE SPECIAL FILE.

Senate Bill No. 620—An Act making an appropriation to pay the claim of John W. Mitchell, for legal services.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Brooke, Brown, Caminetti, Cargill, Cobb, Cosper, Crowder, Dale, Devoto, Dibble, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Kenneally, Knights, La Barea, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—50.

NOES—Mr. Chynoweth—1.

Title read and approved.

Senate Bill No. 651—An Act to appropriate the sum of \$400 to pay the claim of the Encinal Publishing Company, for money due and owing the said Encinal Publishing Company from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Bliss, Blood, Brooke, Chynoweth, Clark, Cobb, Cowan, Dale, Dibble, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—50.

NOES—None

Title read and approved.

Mr. Wardell called up for consideration the following report:

REPORT OF COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of Chief Clerk Kyle for the sum of \$41 99 for the purpose of paying the attached bill, and the Treasurer of State is hereby directed to pay said warrant out of the appropriation for the contingent expenses of the Assembly.

SACRAMENTO, March 2, 1899.

Members of Assembly to Western Union Telegraph Co, Dr.

March 3—Cable telegram to Admiral Dewey, Manila, 17 words @ \$2 47 per word...\$41 99

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VALENTINE, Chairman

Report and resolution adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Johnson:

Resolved, That the Postmistress, Miss Reba Blood, and the Mail Carrier, John J. Hillard, be and they are hereby directed to remain at the Capitol for one week after the adjournment of the Assembly, for the purpose of caring for the mail and sending the same to the members and others, and that they be allowed their regular per diem therefor, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in payment for the same, and the Treasurer is hereby authorized to pay the same.

Referred to Committee on Attachés and Employés.

SPECIAL ORDERS.

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Caminetti, Cargill, Chynoweth, Cobb, Crowder, Dibble, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Works, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 653—An Act to appropriate the sum of \$200 to pay the claim of the Santa Clara News, for money due and owing the said Santa Clara News from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Conroy, Cosper, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Kelsey, Kenneally, Knights, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Radcliff, Raub, Raw, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—58.

NOES—None.

Title read and approved.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Henry:

Resolved, That W. O. Banks, Sergeant-at-Arms of the Assembly, and Robert Corlett, Bookkeeper, and John Kofod, Porter, be and they are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolving upon the Sergeant-at-Arms in turning over to the Secretary of State the books, papers, and personal property in his charge, and in closing up all his accounts, and completing the duties of his office with the State Controller, and that they be allowed one week's extra pay therefor.

Second—That W. O. Banks, Sergeant-at-Arms of the Assembly, be allowed the sum of \$85 for hack hire, subpoenas, witness fees, and other expenses appertaining to his office; and the Controller is hereby directed to draw his warrant on the Contingent Fund of the Assembly in payment for the same, and the State Treasurer is hereby authorized to pay the same.

Referred to Committee on Attachés and Employés, to report to-morrow morning.

By Mr. Mead:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Chief Clerk C. W. Kyle, for the sum of \$15 65, to pay the items hereto attached, and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Members of Assembly, Dr.:

March 14—To J. H. Bohon, for floral design.....	\$15 00
March 15—To Western Union Telegraph Company, telegram to Captain Richie, Redlands	68
Total	\$15 68

Resolution adopted.

MOTION.

Mr. Dibble moved to now take up Senate Constitutional Amendment No. 15.

So ordered.

COMMITTEE SUBSTITUTE FOR SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the second day of January, eighteen hundred and ninety-nine, two thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes that section eighteen of article eleven of the Constitution of the State of California be amended to read as follows:

Section 18. No county, city, town, township, board of education, or school districts shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for each year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest of such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided, however,* that the City and County of San Francisco may at any time pay the unpaid claims, with interest thereon at the rate of five per cent per annum, for materials furnished to and work done for said city and county during the forty-first, forty-second, forty-third, forty-fourth, and fiftieth fiscal years, and for unpaid teachers' salaries for the fiftieth fiscal year, out of the income and revenue of any succeeding year or years, the amount to be paid in full of said claims not to exceed in the aggregate the sum of five hundred thousand dollars, and that no statute of limitations shall apply in any manner to these claims; *and provided further,* that the City of Vallejo, of Solano County, may pay its existing indebtedness incurred in the construction of its waterworks whenever two thirds of the electors thereof voting at an election held for that purpose shall so decide. Any indebtedness or liability incurred contrary to this provision, with the exceptions hereinbefore recited, shall be void.

Resolution read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 15 adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boynton, Brooke, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowder, De Lancia, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Meserve, Miller of San Francisco, Muentner, O'Brien, Pierce, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—57

NOES—Messrs. Burnett, Dale, Milice, and Valentine—4.

SENATE SPECIAL FILE.

Senate Bill No. 698—An Act to appropriate the sum of \$300 to pay the claim of the Daily Independent, for money due and owing the said Daily Independent from the State of California.

Read third time.

The question being on the final passage of the bill.

The bill was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Burnett, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Hanley, Jilson, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKean, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Rickard, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Mr. Johnson moved to take up Senate Constitutional Amendment No. 22 for consideration.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 22.

To propose to the people of the State of California amending the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 18, 21, 23, and 24 of Article VI thereof, relating to the judiciary, and establishing Courts of Appeal.

The Legislature of the State of California, at its regular session commencing on the second day of January, eighteen hundred and ninety-nine, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes that sections one, two, three, four, ten, twelve, fourteen, sixteen, seventeen, eighteen, twenty-one, and twenty-three of article six of the Constitution of said State be amended so as to read as follows; and that section twenty-four of said article be and the same is hereby annulled.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of the State shall be vested in the Senate, sitting as a court of impeachment, in a Supreme Court, District Courts of Appeal, Superior Courts, Justices of the Peace, and such inferior courts as the Legislature may establish in any incorporated city or town, or city and county.

SEC. 2. The Supreme Court shall consist of a Chief Justice and four Associate Justices; *provided*, that the Chief Justice and the Associate Justices in office at the time of the adoption of this amendment shall continue in office and constitute the court until the expiration of their respective terms of office; *and provided further*, that at the expiration of the term of office of the two Justices having at the time of the adoption of this amendment the shortest terms to serve, their offices shall be abolished. The presence of a majority of the Justices shall be necessary for the transaction of business (except such as may be done at chambers), and the concurrence of a majority of the Justices shall be necessary to pronounce a judgment.

The Supreme Court shall hold all of its sessions at San Francisco. There shall be three regular sessions each year, beginning on the second Monday in January, May, and September. Special sessions may be held at any time on the order of the Chief Justice or of three Associate Justices.

The Chief Justice and the Justices of the Supreme Court shall be elected by the qualified electors of the State at large at the general State elections at the times and places at which State officers are elected, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding their election.

If a vacancy occur in the office of a Justice, the Governor shall appoint a person to hold the office until the election and qualification of a Justice to fill the vacancy, which election shall take place at the next succeeding general election at which State officers are elected, and the Justice so elected shall hold the office for the remainder of the unexpired term.

The Supreme Court shall have appellate jurisdiction direct from the Superior Courts in every action, proceeding or special proceeding where is necessarily drawn in question the validity of a statute, or of an authority exercised under the United States, or where is necessarily drawn in question the validity of the Constitution or any statute of or authority exercised under this State on the ground of being repugnant to the Constitution or laws of the United States; or where is necessarily drawn in question the validity of any statute of or authority exercised under this State on the ground of being repugnant to the Constitution of this State; or where is necessarily drawn in question the legality of any tax, impost, or assessment; in all proceedings in exercise of the right of eminent domain; in actions or proceedings for usurpation or intrusion into, or unlawful holding of, a public franchise; also in all criminal actions (on questions of law alone) in which the judgment shall be death or imprisonment for life; and also in all cases in which the fact of the adoption by a city, or of a city and county, of a charter for its own government, or the validity of the same, or any part thereof, or of any authority exercised thereunder, is necessarily drawn in question. It shall also have appellate jurisdiction in every action, proceeding or special proceeding determined by any District Court of Appeal the record in which may, by order pursuant to the further provisions on these subjects hereinafter contained in this article, be directed to be transmitted to it. It shall also have jurisdiction in every action, proceeding and special proceeding which shall actually have been submitted to it for decision before the organization of the District Courts of Appeal established by this amendment, and of every pending cause which shall not be transferable to the District Courts of Appeal as hereinafter provided. And in all cases in which the Supreme Court shall acquire jurisdiction it shall have further jurisdiction to decide all questions properly presented on the record, whether or not they be such as of themselves would entitle the court to take jurisdiction of the cause.

SEC. 3. The State is hereby divided into three appellate districts, in each of which there shall be a District Court of Appeal, consisting of three Justices. There shall in each year be four regular sessions of each District Court of Appeal, commencing on the second Monday in February, May, August, and November. Special sessions may be held at any time upon the order of the court.

The first appellate district shall embrace the following counties: San Francisco, Marin, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, Monterey, and San Benito. The official designation of the District Court of Appeal in this district shall be "The Court of Appeal of the State of California in and for the First District," and it shall hold its sessions at the City and County of San Francisco.

The second appellate district shall embrace the following named counties in the State: Fresno, Tulare, Kings, San Luis Obispo, Kern, Inyo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and San Diego. The official designation of the District Court of Appeal for this district shall be "The Court of Appeal of the State of California in and for the Second District," and the court shall hold its sessions at the City of Los Angeles.

The third appellate district shall embrace the following named counties: Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, Lassen, Tehama, Plumas, Mendocino, Lake, Colusa, Glenn, Butte, Sierra, Sutter, Yuba, Nevada, Sonoma, Napa, Yolo, Placer, Solano, Sacramento, El Dorado, San Joaquin, Amador, Calaveras, Stanislaus, Tuolumne, Alpine, Mono, Mariposa, Madera, and Merced. The official designation of the District Court of Appeal of this district shall be "The Court of Appeal of the State of California in and for the Third District," and the court shall hold its sessions at the City of Sacramento.

The Legislature may remove one or more counties from one appellate district to another, but no county not contiguous to another county of a district shall be added to such district.

The Justices of the District Courts of Appeal shall be elected by the qualified electors within their respective districts at the general State elections at the times and places at which State officers are elected, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding the election; *provided*, that on or before the first day of January after this amendment takes effect the Governor shall appoint three Justices for each District Court of Appeal, to hold office until qualification of Justices to be elected at the next succeeding general election. The Justices of each District Court of Appeal so elected at the first election shall, at their first meeting, so classify themselves by lot that one of them shall go out of office at the end of four years, one at the end of eight years, and the third at the end of twelve years. An entry of such classification shall be made in the minutes of the court, signed by them, and a duplicate thereof shall be filed in the office of the Secretary of State.

If a vacancy occur in the office of a Justice of the District Court of Appeal the Governor shall appoint a person to hold the office until the election and qualification of a Justice to fill the vacancy. Such election shall take place at the next succeeding general election at which State officers are elected, and the Justice so elected shall hold the office for the remainder of the unexpired term.

The Justices of each of the District Courts of Appeal shall elect one of their number as a presiding Justice. The presence of three Justices shall be necessary for the transaction of any business by such court, and the concurrence of two Justices shall be necessary to pronounce a judgment.

Whenever any Justice of the Supreme Court is for any reason disqualified or unable to act in a cause pending before it, the remaining Justices may select one of the Justices of a District Court of Appeal to act *pro tempore* in the place of the Justice so disqualified or unable to act. Whenever any Justice of a District Court of Appeal is for any reason disqualified or unable to act in any cause pending before it the Chief Justice may appoint a Judge of a Superior Court, who has not acted in the cause in the court below, to act *pro tempore* in the place of the Justice so disqualified or unable to act. A Justice of one District Court of Appeal may at any time sit as a Justice *pro tempore* in any other District Court of Appeal upon the written request of any Justice of said court; every Justice *pro tempore* of the Supreme Court or of the District Court of Appeal, while acting as such, shall have the same power and authority as the Justice of such court.

The several District Courts of Appeal shall have appellate jurisdiction in every civil action, proceeding, and special proceeding commenced and determined and (on questions of law alone) in every criminal action prosecuted by indictment or information in the Superior Courts within their several appellate districts, excepting only those actions, proceedings, or special proceedings in which an appeal direct to the Supreme Court from the Superior Courts is expressly allowed by this article. The statutes now in force allowing, providing for, and regulating appeals to the Supreme Court shall apply to appeals to the District Courts of Appeal, so far as consistent with this article, until the Legislature shall make provisions for appeals to said courts.

The judgments and decrees of the District Courts of Appeal shall be final in all cases embraced within their appellate jurisdiction, except in the following cases:

In any case decided by a District Court of Appeal, if the decision of such court of appeal conflicts with a previous decision of the Supreme Court, or of another District Court of Appeals, the Supreme Court shall, upon petition to be filed within thirty days after entry of judgment in the District Court of Appeal, order the cause to be heard by the Supreme Court, and thereupon the record shall be transmitted to the Supreme Court, which shall hear and determine the cause.

The Supreme Court, or any Justice thereof, shall have power to issue writs of habeas corpus, and the Supreme Court shall have power to issue writs of mandamus, certiorari, and prohibition to the District Courts of Appeal, and shall likewise have power to issue all writs, orders, and process necessary or proper to the complete and effectual exercise of its appellate jurisdiction. It shall also have power to issue writs of mandamus,

certiorari, and prohibition in any matter affecting a State, Congressional, or Presidential election. The District Courts of Appeal shall have power to issue within their respective districts writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus, and shall likewise have power within such districts to issue all writs and orders necessary or proper to the complete and effectual exercise of their appellate jurisdiction. Each Justice of the District Courts of Appeal shall have power to issue writs of habeas corpus to any part of the appellate district in which he sits, and any such writ may be made returnable before the Justice who issued it, or the court from which it was issued, or any Justice thereof, or before any lower court of record, or before any Judge thereof.

Unless oral argument be waived by the parties with the consent of the court every cause and matter in the Supreme Court and in any District Court of Appeal (except such applications as may be made ex parte) shall be orally argued by the parties or their counsel in open court; but this shall not prevent the courts from requiring that the points to be argued and considered, together with a list of authorities to sustain such points, shall be printed and filed before a cause is taken up for argument. Not more than twenty cases (except ex parte applications) shall be under submission for decision at any one time in the Supreme Court or in any District Court of Appeal. All decisions of the Supreme Court and of the District Courts of Appeal shall be given in writing and the grounds of the decision shall be stated. A remittitur or mandate must issue on every judgment of said courts on or before the expiration of thirty days after the rendition thereof.

SEC. 4 The Supreme Court shall, upon the organization of the District Courts of Appeal, transfer to them respectively any causes then pending in the Supreme Court and which have not been heard as are within the class of causes over which such District Courts have appellate jurisdiction, and upon such transfer the District Courts of Appeal shall have full jurisdiction to hear and determine the same.

SEC. 10. Justices of the Supreme Court, of the District Courts of Appeal, and Judges of the Superior Courts may be removed by concurrent resolution of both houses of the Legislature adopted by a two-thirds vote of each house. All other judicial officers except Justices of the Peace may be removed by the Senate on the recommendation of the Governor; but no removal shall be made by virtue of this section unless the reasons therefor be entered on the Journal, nor unless the party complained of has been served with a copy of the complaint against him and shall have had an opportunity of being heard in his defense. On the question of removal the ayes and noes shall be entered on the Journal.

SEC. 12. The Supreme Court, the District Courts of Appeal, the Superior Courts, and such other courts as the Legislature may prescribe, shall be courts of record.

SEC. 14. The County Clerks shall be ex officio clerks of the courts of record in and for their respective counties or cities and counties. The Legislature may also provide for the appointment by the several Superior Courts of one or more commissioners in their respective counties, or cities and counties, with authority to perform chamber business of the Judges of the Superior Courts, to take depositions, and perform such other business connected with the administration of justice as may be prescribed by law.

SEC. 16. The Legislature shall provide for the speedy and uniform publication of such opinions of the Supreme Court and of the District Courts of Appeal as may be ordered by said courts, respectively, and all such opinions shall be free for publication by any person.

SEC. 17. The Justices of the Supreme Court, of the District Courts of Appeal, and the Judges of the Superior Courts shall severally, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished after their election nor during the term for which they shall have been elected. The salaries of the Justices of the Supreme Court, of the District Courts of Appeal, and of the Judges of the Superior Courts shall be paid by the State. Unless otherwise changed by the Legislature the annual salaries of the Justices of the Supreme Court and of the District Courts of Appeal shall be six thousand dollars each. Unless otherwise changed by the Legislature the Judges of the Superior Court shall receive an annual salary as now provided by law.

SEC. 18. The Justices of the Supreme Court, of the District Courts of Appeal, and the Judges of the Superior Courts shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

SEC. 21. The Supreme Court shall appoint a clerk of that court, but the present clerk of the court shall hold office until the expiration of his term of office; a phonographic reporter, and a bailiff, who shall severally hold his office and be removable at the pleasure of the court. Each District Court of Appeal shall appoint a clerk, phonographic reporter, and bailiff, who shall severally hold his office and be removable at the pleasure of the court by which he is appointed. The Supreme Court shall appoint a reporter of decisions, who shall appoint an assistant reporter for each of the District Courts of Appeal. All of said officers shall hold office and be removable at the pleasure of the Supreme Court. The decisions of the District Courts of Appeal shall be published in the same volumes with the opinions of the Supreme Court, under the same general title of California Reports; and all statutes in relation to the publication of the opinions of the Supreme Court shall be deemed to apply to the publication of the decisions of the District Courts of Appeal.

SEC. 23. No one shall be eligible to the office of a Justice of the Supreme Court, or of a District Court of Appeal, or of a Judge of a Superior Court, unless he shall have been admitted to practice before the Supreme Court of the State.

SEC. 24. No Judge of the Supreme Court, nor of a District Court of Appeal, nor of a Superior Court, shall draw or receive any monthly salary unless he shall take and subscribe an affidavit before an officer entitled to administer oaths that no cause in his court remains undecided that has been submitted for decision for the period of ninety days.

Resolution read.

The question being on the adoption of the constitutional amendment.

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Crowley, Devoto, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr Speaker—64.

NOES—None

RESOLUTION—(OUT OF ORDER).

By Mr. Lardner:

WHEREAS, John C. Wray faithfully performed the duties of clerk of the Committee of Investigation from January 16 to February 9, 1899, being twenty-four days; and

WHEREAS, On February 28, 1899, the Assembly by a vote of fifty-nine to nothing agreed to pay said Wray \$96 for such services, but the Controller refused to draw his warrant for the same, as he claimed that it should have sixty-four votes; therefore,

Resolved, That the Controller is hereby directed to draw his warrant in favor of said John C. Wray for \$96 on the Contingent Fund of the Assembly, and the Treasurer is hereby authorized and directed to pay the same.

Made special order for to-morrow morning with other attaché matters.

By Mr. Rickard:

Resolved, That C. O. Wellock, Engrossing and Enrolling Clerk, and H. A. Wright, First Assistant Engrossing and Enrolling Clerk, be and they are hereby directed to remain at the Capitol after final adjournment of the Assembly to complete the work of the engrossing and enrolling departments, and they are hereby allowed the sum of \$50 each for such work, payable out of the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for said sums, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Wright:

Resolved, That Leland Stanford Murphy, who has been acting as Page of the Assembly without pay, be and he is hereby awarded the sum of \$25 as reward for his services, and the Controller is hereby requested to draw his warrant for said sum in favor of said Murphy, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 682—An Act to appropriate the sum of \$400 to pay the claim of Daily Riverside Enterprise, for money due and owing the said Daily Riverside Enterprise from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Boynton, Brooke, Burnett, Caminetti, Clark, Conrey, Cosper, Crowley, Devoto, Dibble, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Kenneally, Knights, Knowland, La Barea, Le Baron, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of Los Angeles, Muentner, O'Brien, Pierce, Rickard, Robinson, Stewart, E. D. Sullivan, Wardell, Works, Wright, and Mr. Speaker—42.

NOES—None

Title read and approved.

Mr. Melick called up as special order for to-day Senate Constitutional Amendment No. 21.

SENATE CONSTITUTIONAL AMENDMENT No. 21.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers.

The Legislature of the State of California, at its thirty-third session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety-nine, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section five of article eleven of the Constitution of the State of California be amended so as to read as follows:

Section 5 The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of Boards of Supervisors, Sheriffs, County Clerks, District Attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. The compensation of such officers, and the number and compensation of their deputies, clerks, and assistants shall be regulated by the Legislature, or in such manner as the Legislature may provide; and it shall provide for the strict accountability of such officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them or officially come into their possession.

Resolution read.

The question being on the adoption of the constitutional amendment.

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Crowley, Devoto, Dibble, Fairweather, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Johnson, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—56.

NOES—None.

Senate Bill No. 707—An Act to appropriate the sum of \$600 to pay the claim of Le Franco-Californien, for money due and owing the said Le Franco-Californien from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barry, Belshaw, Blood, Burnett, Clark, Clough, Cobb, Conrey, Cosper, Glenn, Greenwell, Griffin, Henry, Huber, Knights, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, Mead, Merritt, Meserve, Milce, Miller of San Francisco, Muentner, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—41

NOES—None.

Title read and approved.

Senate Bill No. 718—An Act to appropriate the sum of \$250 to pay the claim of Sun Publishing Company, Colusa, for money due and owing the said Sun Publishing Company, Colusa, from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cobb, Conrey, Dibble, Glenn, Griffin, Hanley, Hoey, Huber, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Pierce, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 719—An Act to appropriate the sum of \$250 to pay the claim of Santa Ana Standard, for money due and owing the said Santa Ana Standard from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Barry, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cobb, Devoto, Dibble, Fairweather, Glenn, Griffin, Hanley, Hoey, Huber, Jilson, Kelsey, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Wade, Works, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 591—An Act to appropriate the sum of \$200 to pay the claim of Marin County Tocsin, for money due and owing the said Marin County Tocsin from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Chynoweth, Clark, Clough, Cobb, Dibble, Glenn, Hanley, Hoey, Huber, Knowland, Le Baron, La Barea, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, Sanford, Eugene Sullivan, Wade, White, Works, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 562—An Act to appropriate the sum of \$600 to pay the claim of the Nevada Daily Transcript, for money due and owing the said Nevada Daily Transcript from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Caminetti, Chynoweth, Cobb, Cowan, Devoto, Dibble, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Works, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 727—An Act to appropriate the sum of \$250 to pay the claim of Daily Hanford Journal, for money due and owing the said Daily Hanford Journal from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Chynoweth, Clough, Cobb, Conrey, Crowley, Dibble, Feliz, Glenn, Hanley, Huber, Kelsey, Le Baron, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Muentner, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Wade, Wardell, Works, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 726—An Act to appropriate the sum of \$150 to pay the claim of the Weekly New Era, for money due and owing the said Weekly New Era from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Chynoweth, Clark, Clough, Cobb, Conrey, Devoto, Dibble, Feliz, Glenn, Greenwell, Hanley, Hoey, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDon-

ald of Tuolumne, Melick, Merritt, Meserve, Miller of Los Angeles, Pierce, Raub, Rickard, Sanford, Stewart, Valentine, Wade, Works, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 728—An Act to appropriate the sum of \$375 to pay the claim of the County Paper, for money due and owing the said County Paper from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brown, Burnett, Cargill, Chynoweth, Clark, Clough, Conrey, Dibble, Dunlap, Glenn, Greenwell, Hoey, Knowland, Le Baron, Mack, Marvin, McDonald of Tuolumne, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Muentz, Pierce, Radcliff, Raub, Rickard, Sanford, Stewart, Valentine, Wade, Works, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 654—An Act to appropriate the sum of \$150 to pay the claim of the Downey Champion, for money due and owing the said Downey Champion from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Cargill, Chynoweth, Clark, Conrey, Crowley, Dibble, Dunlap, Fairweather, Peliz, Glenn, Knights, Le Baron, Mack, Marvin, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Muentz, Pierce, Radcliff, Raub, Raw, Rickard, Sullivan, Stewart, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 264—An Act to prohibit the use of stagnant water in the drinking troughs used by domestic animals, and to prevent the spread of infectious diseases.

Read second time.

Mr. Belshaw moved to amend as follows:

Strike out in line 3, printed bill, the words "once a day," and insert in lieu thereof the words "twice a week."

Amendment adopted.

Senate Bill No. 264 ordered to print and third reading.

Senate Bill No. 311—An Act to amend Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Read second time, and ordered to third reading.

Senate Bill No. 349—An Act to amend Sections 1912, 1913, 1914, 1917, 1920, 1922, 1934, 1936, 1939, 1940, 1941, 1943, 1951, 1952, 1954, 1955, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1990, 1991, 1992, 1993, 2003, 2004, 2006, 2007, 2008, 2009, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2038, 2094; to repeal Sections 1902, 1918, 1923, 1927, 1929, 1937, 1938, 1969, 2003 as approved April 1, 1897, 2054, 2055, 2056, 2057, 2058, 2064, 2065, 2066, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2099, 2105, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, and to add new sections, to be known and numbered as Sections 1959a, 1977, 1978, 1987,

1988, 1989, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2005, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2038a, 3033, 3034, and 1967a, all of and to the Political Code of the State of California, relating to the National Guard.

Read second time, and ordered to third reading.

Senate Bill No. 284—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Read second time.

Senate Bill No. 434—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Read second time.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 284 and 434.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 284 and 434 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 284—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Also: Senate Bill No. 434—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol

And do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

Senate Bills Nos. 284 and 434 ordered to third reading.

Senate Bill No. 319—An Act authorizing the insurance of all property of the University of California held for purposes of income, against damages or loss.

Read second time, and ordered to third reading.

Committee Substitute for Senate Bills Nos. 142, 159, 204, and 453—An Act prescribing the manner of locating claims upon the public domain of the United States, recording notices of location thereof, amending defective locations, and prescribing the effect to be given to recordation of notices of location.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Blood, Boynton, Brooke, Burnett, Chynoweth, Cobb, Conrey, Cosper, Crowley, Dibble, Dunlap, Feliz, Glenn, Hanley, Henry, Hoey, Jilson, Knights, Le Baron, Mack, McDonald of Alameda, McKeen, Mead, Melick, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radchiff, Raub, Raw, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, White, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 318—An Act appropriating the sum of \$2,345 75 to pay the claim of Messrs. Goodall, Perkins & Co. against the State of California, for the loss of merchandise by the collapse of a portion of Pier 9 in the City and County of San Francisco, California.

Read second time.

Senate Bill No. 700—An Act to appropriate \$1,120 to pay the unpaid salary of the late Dennis Spencer as Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco from July 15, 1895, until and including November 30, 1895.

Read second time.

Senate Bill No. 207—An Act to provide for the erection and equipment of a combined laundry, electric lighting, steam heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read second time.

Senate Bill No. 422—An Act appropriating money for the repair and improvement of the building and grounds at the Industrial Home of Mechanical Trades for the Adult Blind.

Read second time.

Senate Bill No. 325—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

Read second time.

Senate Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read second time.

Senate Bill No. 271—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Read second time.

MOTION.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 318, 700, 207, 422, 325, 459, and 271.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 318, 700, 207, 422, 325, 459, and 271 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 318—An Act appropriating the sum of \$2,345 75 to pay the claim of Messrs. Goodall, Perkins & Co. against the State of California, for loss of merchandise by the collapse of a portion of Pier 9 in the City and County of San Francisco, California.

Also: Senate Bill No. 700—An Act to appropriate \$1,120 to pay the unpaid salary of the late Dennis Spencer as Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco from July 15, 1895, until and including November 30, 1895.

Also: Senate Bill No. 207—An Act to provide for the erection and equipment of a combined laundry, electric lighting, steam heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Senate Bill No. 422—An Act appropriating money for the repair and improvement of the building and grounds at the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Senate Bill No. 325—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

Also: Senate Bill No. 119—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Also: Senate Bill No. 658—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Also: Senate Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General, for the fiftieth fiscal year.

Also: Senate Bill No. 271—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

And do now report, and recommend that they do pass

ANDERSON, Chairman.

Report adopted.

Senate Bills Nos. 318, 700, 207, 422, 325, 459, and 271 ordered to third reading.

At four o'clock and forty-five minutes P. M., the Speaker called Mr. Valentine to the chair.

Senate Bill No. 360—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for the letting of contracts for the lighting of streets and public buildings in cities and towns in the State of California,' approved March 26, 1895," amended March 27, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Knights, Knowland, Mack, McDonald of Alameda, McKeen, Mead, Merritt, Meserve, Milice, Muenter, O'Brien, Pierce, Radcliff, Raub, Raw, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 450—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Conrey, Cosper, Cowan, Crowley, Dale, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Lardner, Mack, McDonald of Alameda, Mead, Melick, Merritt, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Sanford, Stewart, Wardell, and White—46.

NOES—Messrs. Bliss, Clough, Crowder, De Lancie, Dibble, Henry, McKeen, Meserve, Milice, Raw, Rickard, E. D. Sullivan, Wade, and Mr. Speaker—14.

Title read and approved.

MOTION.

Mr. Dibble moved that all Senate bills on first and second reading be made special orders for this evening, first order after convening.

So ordered.

At five o'clock and five minutes P. M., the Speaker resumed the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Valentine:

Resolved, That Assembly Bill No. 1015 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring

that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Cargill, Clark, Clough, Conrey, Cosper, Cowan, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Johnson, Kelsey, Knights, Knowland, La Barea, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—56
NOES—None.

Assembly Bill No. 1015—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read second time, ordered considered engrossed and to third reading.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Conrey, Cowan, Crowley, Dibble, Dunlap, Feliz, Glenn, Greenwell, Griffin Hoey, Kelsey, Knights, Knowland, La Barea, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—50.
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Pierce:

Resolved, That W. W. Benchley be and is hereby appointed Mail Carrier, to carry the mail to and from the Capitol building for one week after the adjournment of the Legislature, and shall receive as compensation \$3 per day, to be paid out of the Contingent Fund of the Assembly. That the Controller is hereby instructed to draw his warrant for \$21 in favor of W. W. Benchley, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Caminetti moved to take up Committee Substitute for Senate Bills Nos. 58 and 194.

So ordered.

Committee Substitute for Senate Bills Nos. 58 and 194—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Conrey, Crowder, Dibble, Dunlap, Fairweather, Feliz, Hanley, Henry, Hoey, Johnson, Kelsey, Knights, Knowland, La Barea, Mack, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—46.
NOES—None.

Title read and approved.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your committee of free conference concerning Senate Bill No. 337—An Act to amend Section 591 of the Penal Code—report that we have met a like committee of the Senate, consisting of Senators Bulla, Sims, and Luchsinger, and we report that the free conference committee agreed upon and recommend that the Assembly recede from its Amendment No. 2.

J. M. MILLER,
VALENTINE,
JOHNSON,

Committee of Free Conference of the Assembly

Mr. Johnson moved the adoption of the report.

The ayes and noes were demanded by Messrs. Hoey, Milice, and Wardell.

The roll was called, and the report refused adoption by the following vote:

AYES—Messrs. Beecher, Belshaw, Boone, Conrey, Dibble, Dunlap, Huber, Johnson, Melick, Meserve, Miller of Los Angeles, Rickard, Wright, and Mr. Speaker—14.

NOES—Messrs. Arnerich, Atherton, Bliss, Blood, Boynton, Brown, Caminetti, Clark, Clough, Cobb, Cowan, Crowder, Dale, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Kelsey, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Milice, Miller of San Francisco, Muentzer, O'Brien, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wardell, White, and Works—38.

Mr. Dibble moved that a message be sent to the Senate informing it of the action of the Assembly, and another free conference committee be appointed.

So ordered.

Senate Bill No. 522—An Act to provide for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Conrey, Crowder, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Kelsey, Knights, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Meserve, Milice, Muentzer, O'Brien, Pierce, Rickard, Sanford, Stewart, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—46.

NOES—Mr. Dibble—1.

Title read and approved.

RECESS.

At five o'clock and forty minutes P. M., on motion of Mr. Crowder, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M. Speaker Anderson in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 996—An Act making an appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years—and was presented to the Governor March 17, 1899, at seven o'clock and fifty minutes P. M.

RICKARD, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Arnerich:

Resolved, That Jesse R. Dorsey, the Assistant Mail Carrier, be and he is hereby retained in his position for the period of one week, at the same per diem, for the purpose of assisting in the forwarding and caring for the mail of the members and officers of the Assembly. The Controller is hereby instructed to draw his warrant in favor of the said Jesse R. Dorsey for such services, and the State Treasurer is hereby authorized to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Hoey:

Resolved, That the sum of \$300 be appropriated from the Contingent Fund of the Assembly, in favor of A. A. Friedlander, for engrossing the resolutions in memory of the late Senator John Boggs, as adopted February 3, 1899; also, the resolution in memory of Mrs. F. P. Meserve, adopted March 13, 1899; also, the two resolutions commending the Hon. Grove L. Johnson, as adopted February 24, 1899; and be it further

Resolved, That when said resolutions are delivered to the Controller, he is hereby ordered to draw his warrant for the above-named amount, and the Treasurer is ordered to pay the same.

Referred to Committee on Ways and Means.

MOTION.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 735—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Sections 191, 197, 198, and 207 thereof.

Also: Senate Bill No. 737—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897. Cases of urgency.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary

Senate Bill No. 735—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Sections 191, 197, 198, and 207 thereof.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 737—An Act to amend Section 153 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on Senate special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as case of urgency Senate Bill No. 733—An Act making an appropriation for pay of officers and clerks, Senate, thirty-third session.

Also: Passed Assembly Bill No. 603—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Also: Passed as case of urgency Senate Bill No. 734—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 733—An Act making an appropriation for the pay of officers and clerks of Senate, thirty-third session.

Read first time, and ordered on Senate special file for second reading.

Assembly Bill No. 603 ordered to enrollment.

Senate Bill No. 734—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Read first time, and ordered on Senate special file for second reading.
Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 218—An Act to amend an Act entitled "An Act to compel savings banks to publish a sworn statement of all unclaimed deposits," approved March 23, 1893, and compelling all banks to publish sworn statements of unclaimed deposits.

Also: Senate Constitutional Amendment No 4—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by adding a new section, to be known and designated as Section 2½, Article II, thereof, concerning primary elections.

Also: Passed Senate Bill No. 738—An Act amending Section 167 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Senate Bill No. 739—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 180 thereof.

Also: Senate Bill No. 740—An Act to amend Section 168 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 741—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Senate Bill No. 742—An Act amending Section 193 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 744—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 179 of said Act, relating to counties of the twenty-second class

Also: Senate Bill No. 745—An Act to amend Section 194 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 746—An Act to amend Section 201 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 747—An Act to amend Section 181 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 749—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 161 of said Act, relating to and providing for the government of counties of the fourth class

Also: Senate Bill No. 750—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Sections 185, 205, and 209 thereof.

Cases of urgency.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELS, Assistant Secretary.

Senate Bill No. 738—An Act amending Section 167 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 739—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 180 thereof.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 740—An Act to amend Section 168 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 741—An Act amending Section 165 of an Act enti-

tled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 742—An Act amending Section 193 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 744—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 179 of said Act, relating to counties of the twenty-second class.

Read first time, and ordered on Senate special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Bill No. 748 (case of urgency)—An Act making an appropriation for repairing the roof, gutters, and conductors on the State Capitol building, and repairing interior of Capitol building, resulting and existing from defects in such roof, gutters, and conductors.

Also: Senate Bill No. 128—An Act to amend Sections 537, 538, and 539 of the Code of Civil Procedure, relating to attachments.

Also: Senate Bill No. 334—An Act to provide for the assessment, levy, and collection of an income tax.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Bill No. 748—An Act making an appropriation to repair the roof, gutters, and conductors on the State Capitol building.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 128—An Act to amend Sections 537, 538, and 539 of the Code of Civil Procedure, relating to attachments.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 334—An Act to provide for the assessment, levy, and collection of an income tax.

Read first time, and ordered on special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

Also: Passed Assembly Bill No. 668—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom, in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing, and granite or stone blocks for drains, culverts, and bridges for the same.

F. J. BRANDON, Secretary of Senate

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 733 ordered on unfinished business file.

Assembly Bill No. 668 ordered to enrollment.

MOTION.

Mr. Dibble moved to take up Senate Bill No. 287 for second reading.
So ordered.

Senate Bill No. 287—An Act to amend Section 501 of the Civil Code of the State of California, relating to street railroad cars.

Read second time, and ordered to third reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 273—An Act to provide for the ownership of property and the winding up of the affairs of municipal corporations disincorporated.

rated under the provisions of an Act of the Legislature of the State of California, entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, when two thirds, or more, in value of assessable property within the former limits thereof shall be included within the boundaries of any subsequently incorporated city or town.

Read second time, and ordered to third reading.

Senate Bill No. 658—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Read second time, and ordered to third reading.

Senate Bill No. 516—An Act to amend Sections 1726 and 1732 of the Code of Civil Procedure of the State of California, relating to the duties of Public Administrator.

Passed on file.

Mr. Conrey moved that Senate Bill No. 273 be stricken from the file. So ordered.

Committee Substitute for Senate Bill No. 227—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Read second time.

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 227.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Committee Substitute for Senate Bill No. 227 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No. 227—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps—and do now report, and recommend that the same do not pass.

ANDERSON, Chairman.

The question being on the amendments as printed in the Journal of March 4, 1899.

Amendments lost.

Committee Substitute for Senate Bill No. 227 ordered to third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 488—An Act to promote the reclamation, cultivation, and settlement of desert lands conditionally granted to the State of California by the Congress of the United States—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass, and that the same be read second time.

DUNLAP, Chairman.

Report adopted.

Senate Bill No. 488—An Act to promote the reclamation, cultivation, and settlement of desert lands conditionally granted to the State of California by the Congress of the United States.

Read second time, and ordered to third reading.

MOTION.

Mr. Cosper moved that the Assembly do now take up Governor's messages.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1899.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 373, with my objections thereto.

This bill proposes to amend Sections 3571 and 3572 of the Political Code.

The bill changes Section 3571 of the Political Code so as to repay the original purchasers from the State such money as they may have previously paid on certificates of purchase issued before the judgment of annulment.

As these certificates of purchase date back many years, and have had no value on account of their cancellation, it would, at this late day, be inadvisable to revive them, inasmuch as such policy might involve the payment from the School Land and Swamp Land funds of many thousands of dollars. The history of these certificates of purchase will probably show in many cases that some portions of the lands purchased were timber land, and the timber thereon was taken away before the claimants permitted the lands to revert to the State.

Again, the new policy outlined in the bill might be a very disturbing factor in the adjustment of the School Land and Swamp Land funds, and involve the State in much expensive litigation in an effort to equitably meet the demands of the holders of such annulled certificates.

The amendments proposed in this bill to Section 3572 of the Political Code permit the reissue and reinstatement of swamp land warrants, even where such warrants had been voluntarily surrendered. Such reissue is, in my opinion, extremely unwise, as such plan would reopen, after a lapse of many years, many now settled questions; and, although equity might justify such a policy in a few cases, it would not be justified in a general law.

The uncertainty as to the amount of money to be repaid by the State, as provided by the last clause of Section 3572 of this bill, calls for more elaborate and specific provisions than those expressed in this bill, in order to equitably adjust the differences between the State and the holders or assignees of certificates of purchase.

For these, among other reasons, I disapprove of the present bill.

HENRY T. GAGE,
Governor of the State of California.

Ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1899.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 651, with my objections thereto.

This bill attempts to authorize and direct the Governor to appoint not less than two nor more than four "agents to prosecute the claims of the State for reimbursement by the United States of all moneys expended by the State during the Rebellion on behalf of the United States in aiding the California volunteers mustered into the service of the United States."

By Section 2 of this bill compensation is to be allowed each of such agents for services in "such sum or percentage of the amount as the Governor and each agent may agree upon," but not exceeding in the aggregate more than ten per cent of all sums collected on account of the State claims.

Under this provision the compensation must be agreed upon by both the agents and the Governor.

By Section 3, in event of settlement with the United States, it is provided that the payment of these agents may be made by the Governor in one of two ways—either by separating from the money received "a sufficient amount to pay each of the agents according to agreement," or by turning the money into the State Treasury, and permitting a legislative appropriation "for a sufficient sum to meet the full amount of the compensation allowed the agents, whose claim must then be presented for approval to

the Board of Examiners," and if approved the Controller is authorized to draw his warrant for such sum.

The claims referred to in the bill, known as the Rebellion War claims, which are attempted by this bill to be submitted to agents for collection, amount to the principal sum of \$3,951,915 42.

All the States of the Union, except California, Oregon, and Nevada, have been reimbursed for all or nearly all of the principal of their claims for the suppression of the Rebellion. While the claims of California, Oregon, and Nevada have been many times considered in Congress, and have passed the Senate in the fifty-third, fifty-fourth, and fifty-fifth sessions of Congress, yet they have failed to pass the House, and mainly on account of the prejudice engendered by the active lobbying of the claim agents who have pretended to represent these States.

If these claims of our State be founded in equity, and I am convinced that they are, the Federal Government will recognize their validity, and will pay them upon proper efforts in Congress by our Senators and Representatives, whose duty it is to secure for the State its legal and equitable demands. If the money belongs to the State, it should collect it through the proper official channels, without employing brokers or appointing partners to share in the collections. The honor of our State ought not to be impugned through the acts of delegated lobbyists, while prosecuting its claims against the National Government.

The duty of asserting these war claims lies with our Senators and Representatives, and they alone (as I stated in my inaugural address) should be requested to use every lawful effort for the passage of a Congressional Act for the payment to the State by the Federal Government of these long deferred demands, and thereby save to the State commissions aggregating \$395,191 54.

HENRY T. GAGE,
Governor of the State of California

Ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO March 17, 1899. }

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bill No. 554.

HENRY T. GAGE,
Governor of the State of California.

Mr. Dibble moved to take up Senate Bill No. 733 for consideration.
So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Dibble:

Resolved, That Senate Bill No. 733 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Griffin, Hanley, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, Lardner, Mack, Marvin, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Raub, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, White, Works, Wright, and Mr. Speaker—54.
NOES—None.

Senate Bill No. 733—An Act making an appropriation for the pay of officers and clerks of Senate, thirty-third session.

Read second time.

Mr. Dibble moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 733.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 733 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 733—An Act making an appropriation for the pay of officers and clerks of Senate, thirty-third session—and do now report the same back, and recommend that it do pass,

ANDERSON, Chairman.

Ordered considered engrossed, and to third reading.

Senate Bill No. 733—An Act making an appropriation for the pay of officers and clerks of Senate, thirty-third session.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Jilson, Johnson, Kelley, Kenneally, Knights, Lardner, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Wright, and Mr Speaker—52.

NOES—None.

Title read and approved.

Mr. McKeen asked to have No. 295 on file made special order for tomorrow.

So ordered.

Senate Bill No. 438—An Act to amend Section 1585 of the Code of Civil Procedure of the State of California, relating to the administration and disposition of the assets of a deceased copartner.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Bliss, Blood, Boynton, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Johnson, Kelley, Kenneally, Knights, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Milce, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Sanford, Wade, Wardell, White, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 119—An Act making an appropriation for improving the Deaf, Dumb, and Blind Asylum.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Arnerich, Atherton, Bliss, Brooke, Burnett, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Devoto, Dibble, Dunlap, Fairweather, Jilson, Johnson, Kelsey, Knowland, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Muentner, O'Brien, Pierce, Raub, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Wade, White, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 1009—An Act to

amend Sections 163, 167, 174, 196, 200, 204 of an Act to establish a uniform system of county and township governments, approved April 1, 1897—and was presented to the Governor March 17, 1899, at nine o'clock p. m.

RICKARD, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 53—An Act to amend Sections 435, 1595, and 1858 of the Political Code of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and to add two new sections to said Code, to be known as Sections 1675 and 1705, relating to kindergartens.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Belshaw, Bliss, Blood, Brooke, Brown, Burnett, Caminetti, Cargill, Clough, Cobb, Conrey, Dale, Devoto, Dibble, Dunlap, Fairweather, Feliz, Griffin, Henry, Johnson, Kelsey, Kennecally, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, O'Brien, Pierce, Raub, Robinson, Eugene Sullivan, White, Wright, and Mr. Speaker—43.
NOES—Messrs. Atherton, Clark, Miller of San Francisco, and Wade—4.

Title read and approved.

RECONSIDERATION.

Mr. Belshaw moved that the vote whereby Committee Substitute for Senate Bill No. 227 was ordered to third reading be now reconsidered for the purpose of amendment.

So ordered.

Committee Substitute for Senate Bill No. 227—An Act making an appropriation to pay the unpaid claims for bounty on coyote scalps.

Mr. Belshaw moved to amend as follows:

Amend Section 2 by adding at the end thereof the following: "*provided, however, that all actions prosecuted under this Act by claimants whose claims aggregate less than three hundred dollars shall prosecute their action in a Justice's Court at the county seat of the county in which such coyotes were killed, and in such action all costs, other than Justice fees, shall be remitted, and the right of removal shall not exist, but in all such cases the District Attorney of the county shall, if requested by the Attorney-General, appear for and represent that officer in defending such suits without charge; and provided further, that no person holding claims at the time of the approval of this Act aggregating more than three hundred dollars, shall by assigning, or otherwise subdividing the same, be permitted, nor shall his assignee be permitted, to sue upon said claim or any part thereof in said Justices' Courts*"

Also: Amend Section 3 by inserting after the word "hereunder," in line 1 of Section 3, the words "except as hereinbefore provided"

Also: Strike out of Section 7 the word "immediately," and in lieu thereof insert "July first, Anno Domini eighteen hundred and ninety-nine."

Amendments lost.

Committee Substitute for Senate Bill No. 227 ordered to third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 712—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co from the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VALENTINE, Chairman.

Senate Bill No. 712 ordered on file for second reading.

MOTION.

Mr. Melick moved to call up for consideration Assembly Bill No. 249. So ordered.

Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of this Act.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Belshaw, Bliss, Blood Boone, Brooke, Burnett, Chynoweth, Clough, Cobb, Conrey, Cosper, Dale, Dibble, Dunlap, Fairweather, Glenn, Griffin, Henry, Johnson, Kelley, Knights, Knowland, Lardner, Mack, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, Pierce, Radcliff, Raub, Robinson, Sanford, Stewart, Eugene Sullivan, Wade, Wardell, and Mr. Speaker—42.

NOES—Messrs. Clark, Cowan, Hanley, Kenneally, and E. D. Sullivan—5.

Title read and approved.

Bill ordered to enrollment.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 408—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Boone, Chynoweth, Conrey, Fairweather, Johnson, Kelley, Knights, Knowland, La Barea, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Muentner, Pierce, and Wright—16.

NOES—Messrs. Arnerich, Atherton, Barry, Bliss, Boynton, Brooke, Burnett, Clark, Cobb, Cowan, Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hanley, Henry, Hoey, Kelsey, Kenneally, Mack, McKeen, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Radcliff, Raub, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, and Wade—37.

Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities.

Mr. Johnson moved that a select committee of one be appointed to amend Senate Bill No. 493 as follows:

After the word "thereof," at the end of line 8, Section 1, strike out the period, and insert a semicolon, and add the following: "but the provisions of this Act shall not apply to cities where such work is already authorized or provided for in the charter of said city."

Motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Mr. Cowan moved that a select committee of one be appointed to amend Senate Bill No. 493 as follows:

Amend Section 1, printed bill, by striking out of lines 1 and 2 the words "whenever the public interest or convenience may require," and inserting in lieu thereof the words "whenever petitioned by the owners of three fourths of the frontage in each block affected thereby."

Also: Strike out the period after the word "thereof," line 8, page 1, printed bill, and insert in lieu thereof a semicolon and add the following: "*provided*, such City Council or legislative body shall have no jurisdiction or authority to order the whole or any part of such work to be done, unless the same be requested by a petition signed by the owners of three fourths of the real property fronting on each block of such street, avenue, lane, alley, court, or place on which such work is contemplated, and then said City Council shall order such work to be done in all respects as requested in said petition."

Also: Insert the following in line 28, page 2, after the word "work": "where the same is for one block or more."

Also: Strike out the period after the word "done," in line 37, page 2, and insert a comma and add the following: "and the same shall, after the expiration of said six months, be continued under the resolution of intention first passed, if said City Council shall deem proper. If, however, the owners of at least three fourths of the property fronting on said proposed work shall make written objections to the same within said six months, no further proceedings shall be taken under aforesaid resolution of intention."

Motion adopted, and it was so ordered.

Mr. Cowan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COWAN, Committee.

Report adopted.

Mr. Miller of San Francisco moved that a select committee of one be appointed to amend Senate Bill No. 493 as follows:

Amend Senate Bill No. 493 by striking out the enacting clause.

So ordered.

Mr. Miller of San Francisco was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 493—An Act to provide for sweeping, cleaning, and sprinkling streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

H. W. MILLER, Committee

Report adopted.

Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Dibble, Dunlap, Fairweather, Feliz, Glenn, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Kenneally, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Meserve, Miller of San Francisco, Pierce, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, and Mr. Speaker—43.

NOES—Messrs. Barry and Dale—2.

Title read and approved.

Senate Bill No. 122—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

The question being on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Brown, Caminetti, Cobb, Conrey, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Johnson, Kelsey, Knights, La Bree, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Miller of Los Angeles, Pierce, Rickard, Sanford, Valentine, Wade, Wright, and Mr. Speaker—34.

NOES—Messrs. Arnerich, Barry, Blood, Boynton, Brooke, Burnett, Clark, Clough, Dale, Hanley, Hoey, Huber, Kenneally, Miller of San Francisco, Muentner, Robinson, Eugene Sullivan, and E. D. Sullivan—18.

MOTION.

Mr. Valentine moved that the Assembly do now take up Governor's messages.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 17, 1899. }

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 996—An Act making appropriation for the support of the government of the State of California for the fifty-first and fifty-second fiscal years.

HENRY T. GAGE,
Governor of the State of California.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 427—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, and the Act amendatory thereof, approved April 1, 1897.

Passed on file.

At ten o'clock and thirty minutes p. m., the Speaker called Mr. Belshaw to the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Dibble:

Resolved, That Senate Bills Nos. 737, 739, 740, 741, 742, 744, 745, 746, 747, and 750 presenting cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that the said bills shall be read the second and third times on this day and placed upon their final passage.

The question being on the suspension of the constitutional provision.

The roll was called, and the constitutional provision suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Belshaw, Bhss, Blood, Boynton, Brooke, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Felz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Johnson, Kelley, Kenneally, Knights, Knowland, La Barea, Lardner, Mack, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Muentner, Raub, Rickard, Robinson, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wright, and Mr. Speaker—56.

NOES—Mr. Barry—1.

Senate Bill No. 737—An Act to amend Section 153 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, ordered considered engrossed and to third reading.

Read third time.

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows:

Amend by adding after the word "hundred," in line 292 of the printed bill, the words "and three."

The question being on the motion to refer the bill to a select committee of one to amend.

The ayes and noes were demanded by Messrs. Johnson, Cowan, and Kenneally.

Pending roll call, Mr. Cowan moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll was called, and the motion to appoint a select committee lost by the following vote:

AYES—Messrs. Arnerich, Barry, Beecher, Bliss, Boynton, Brooke, Cowan, Crowley, De Lancie, Glenn, Griffin, Hanley, Henry, Johnson, Kelley, Kenneally, La Barea, Lundquist, McDonald of Tuolumne, Merrill, Miller of Los Angeles, O'Brien, Raw, Robinson, Eugene Sullivan, and Wright—26.

NOES—Messrs. Atherton, Belshaw, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Dale, Fairweather, Feliz, Greenwell, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merritt, Meserve, Milice, Muentner, Pierce, Raub, Sanford, E. D. Sullivan, Valentine, Wade, and White—33.

Mr. Melick moved the previous question on the final passage of the bill.

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Caminetti, Cargill, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lancie, Fairweather, Feliz, Glenn, Greenwell, Henry, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihe, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Rickard, Robinson, Sanford, E. D. Sullivan, Valentine, Wade, and White—51.

NOES—Messrs. Beecher, Griffin, Kelley, La Barea, Miller of Los Angeles, and Eugene Sullivan—6.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled: Assembly Bills Nos. 755, 252, 789, 583, 602, 811, Assembly Concurrent Resolution No. 9, Assembly Bills Nos. 542, 994, 232, 463, 552, 10, 443, 38, and 441.

Assembly Bill No. 755—(Substitute for Assembly Bill No. 492)—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Assembly Bill No. 252—An Act to pay the claim of E. N. Strout, for services rendered as Reclamation Fund Commissioner from June 1, 1873, to April 1, 1874, amounting to \$2,000, approved by the State Board of Examiners, and appropriating money to pay the same.

Assembly Bill No. 789—An Act regarding organizations, officers, and members of the National Guard who entered the United States volunteer service in the Spanish-American war of 1898, their privileges and exemptions, and the legalizing of orders and acts regarding the reorganization of the National Guard of the State of California.

Assembly Bill No. 583 (Substitute for Assembly Bill No. 169)—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes.

Assembly Bill No. 602 (Substitute for Assembly Bill No. 168)—An Act to amend Section 2643 of the Political Code, relating to road tax and its apportionment among road districts.

Assembly Bill No. 811—An Act making an appropriation to pay the claim of the Evening Post Publishing Company, for publishing the constitutional amendments submitted at the general election of 1898.

Assembly Concurrent Resolution No. 19—Relative to adjournment of the Senate and Assembly on Saturday, March 18, 1899.

Assembly Bill No. 542—An Act to amend Sections 4 and 6 of an Act entitled "An Act to create the office of Lake Tahoe Road Commissioner, defining his duties, and making an appropriation for his salary and expenditures provided for and authorized by this Act."

Assembly Bill No. 994—An Act to permit asexualization of inmates of the State Hospitals and the California Home for the Care and Training of Feeble-Minded Children.

Assembly Bill No. 232—An Act authorizing the Secretary of State to appoint a clerk, in addition to the number now allowed by law, to be known as Janitor's Clerk, and providing for the payment of his salary for the remainder of the fiftieth fiscal year.

Assembly Bill No. 463—An Act to provide for the payment of \$180 to L. F. Eastin, the proprietor of the Ventura Independent, for the advertising of the constitutional amendments, and to make appropriation therefor.

Assembly Bill No. 552—An Act placing all companies selling certificates, bonds, or debentures with coupons attached thereto, on the partial payment or installment plan, doing business in this State, under the supervision and control of the State Board of Bank Commissioners.

Assembly Bill No. 140—An Act to repeal "An Act prescribing the manner of locating mining claims upon the public domain of the United States, recording notice of location thereof, amending defective locations, and providing for the deposit of district records with County Recorder, and prescribing the effect to be given to recordation of notices of location and affidavit," approved March 27, 1897.

Assembly Bill No. 449—An Act to establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of \$150,000.

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 228 of said Act, relating to and providing for county charges.

Assembly Bill No. 441—An Act to amend Section 7 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1893.

And were presented to the Governor March 17, 1899, at ten o'clock and fifty minutes P. M.

RICKARD, Chairman.

At eleven o'clock and forty minutes P. M., the Speaker resumed the chair.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 739—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 180 thereof.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Blood, Boynton, Clark, Clough, Cobb, Crowley, Dale, De Lancey, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, Muenter, O'Brien, Pierce, Raub, Rickard, Sanford, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—44

NOES—Mr. Barry—1.

Title read and approved.

Mr. Johnson moved that No. 1 on file be continued until to-morrow.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following committee *in re* Assembly Bill No. 337: Messrs. Brown, Kelsey, and White.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 740—An Act to amend Section 168 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Boynton, Brooke, Clough, Cobb, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Johnson, Kelsey, Kenneally, Knights, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of San Francisco, Pierce, Raub, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Mr. Speaker—42.

NOES—Mr. Barry—1.

Title read and approved.

Senate Bill No. 741—An Act amending Section 165 of an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Caminetti, Clark, Clough, Cobb, Conrey, Crowly, De Lancia, Dibble, Glenn, Greenwell, Hoey, Johnson, Kelley, Kelsey, Kenneally, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Rickard, Eugene Sullivan, Wade, Wardell, White, and Mr. Speaker—41.

NOES—Mr. Barry—1.

Title read and approved.

Senate Bill No. 742—An Act amending Section 193 of an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Crowly, Dale, De Lancia, Dibble, Greenwell, Griffin, Hanley, Henry, Hoey, Johnson, Kelley, Kenneally, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, Mead, Melick, Merritt, Meserve, Milice, O'Brien, Pierce, Raub, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—43.

NOES—Mr. Barry—1.

Title read and approved.

Senate Bill No. 744—An Act to amend an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897, by amending Section 179 of said Act, relating to counties of the twenty-second class.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Blood, Boynton, Brooke, Burnett, Clark, Clough, Cobb, Conrey, Crowly, Dibble, Greenwell, Hanley, Henry, Hoey, Johnson, Kelley, Kenneally, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, Mead, Melick, Merritt, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 745—An Act to amend Section 194 of an Act entitled “An Act to establish a uniform system of county and township governments,” approved April 1, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Crowly, De Lancia, Dibble, Dunlap, Griffin, Hanley, Hoey, Johnson, Kelley, Knights, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, Mead, Melick, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, White, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 746—An Act to amend Section 201 of an Act entitled

"An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Brooke, Clark, Clough, Cobb, Conrey, Dale, De Lencie, Dibble, Dunlap, Griffin, Hanley, Hoey, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, Mead, Melick, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wardell, White, and Mr. Speaker—41.

NOES—Mr. Burnett—1.

Title read and approved.

Mr. Johnson moved that all special orders for to-day be continued special orders for to-morrow.

So ordered.

Senate Bill No. 747—An Act to amend Section 181 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boynton, Brooke, Burnett, Clark, Clough, Cobb, Conrey, Cowan, Crowley, De Lencie, Dibble, Dunlap, Griffin, Hanley, Hoey, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Marvin, McDonald of Alameda, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Rickard, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 750—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Sections 185, 208, and 209.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boynton, Brooke, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowley, Dale, De Lencie, Dibble, Dunlap, Hanley, Hoey, Johnson, Kelley, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, Mead, Melick, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, and Mr. Speaker—45.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Hoey:

Resolved, That Forest J. Swears be and he is hereby appointed Page and Messenger to the clerks at the desk after adjournment of the Assembly until all work at the desk is finished, and that the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of \$35 in favor of Forest J. Swears, and the State Treasurer is hereby authorized to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Brooke moved that Mr. Caminetti's resolution as printed in Journal of March 10, 1899, *in re* Brooke expenses, be made special order for to-morrow.

So ordered.

ADJOURNMENT.

At twelve o'clock and twenty minutes A. M., on motion of Mr. Johnson, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Saturday, March 18, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 18, 1899. }

The Assembly met at nine o'clock and thirty minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Growly, Dale, De Lancie, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merril, Merritt, Meserve, Milhee, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—89.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Barton W. Perry.

READING AND APPROVAL OF JOURNALS.

Pending the reading of Friday's Journal, the further reading was dispensed with, on motion of Mr. Bliss.

The Journal of Thursday, March 16, 1899, was read and approved.

MOTION.

Mr. Dibble moved that the Sergeant-at-Arms be instructed to exclude all visitors from the floor of the Assembly, except wives of members.

So ordered.

RESOLUTION.

By Mr. Dibble:

Resolved, That the File Clerks be instructed to prepare from time to time during the day, and the State Printer be instructed to print with the utmost haste, bulletins of the business of the day.

Resolution adopted.

MOTIONS.

Mr. Dibble moved that all Senate bills coming from the Senate to-day be placed on file without reference to committee.

So ordered.

Mr. Muentner moved that the Assembly take up Assembly Bill No. 793, for consideration at this time.

So ordered.

Assembly Bill No. 793—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning buildings, and other property not subject to arson, and specifying the penalty therefor.

Title read and approved

Mr. Dibble moved that the Assembly do now take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 17, 1890.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received the report of the conference committee on Senate Bill No. 337—An Act to amend Section 591 of the Penal Code of the State of California—wherein the said conference committee did not agree, and have this day, in accordance with the recommendation of said committee, appointed Senators Bulla, Sims, and Luchsinger as a committee of free conference to meet a like committee from the Assembly.

Also: Received and adopted the report of the conference committee on Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code, relating to fish—wherein the said conference committee did not agree, and have this day, in accordance with the recommendation of said committee, appointed Senators Dickinson, Luchsinger and Prisk as a committee of free conference to meet a like committee from the Assembly.

Also: Received and adopted the report of the conference committee on Senate Bill No. 13—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897—wherein the said conference committee did not agree, and have this day, in accordance with the recommendation of said committee, appointed Senators Cutter, Currier, and Langford as a committee of free conference to meet a like committee from the Assembly.

Also: Concurred in Assembly amendments to Senate Bill No. 450—An Act to amend section nine (9) of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended by an Act approved March 10, 1887, and as amended by an Act approved March 25, 1895, relating to the powers and duties of such Bank Commissioners.

Also: Concurred in Assembly amendments to Substitute for Senate Bills Nos. 58 and 194—An Act to amend Sections 188, 189, and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the compensation of official reporters of the Superior Court, and in Section 189, relating also to the fees of Justices of the Peace and Constables.

Also: Passed Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for money due and owing to the said Claus Spreckels from the State of California.

Also: Passed Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor.

Also: Passed Assembly Bill No. 938—An Act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State Treasury, and the return thereof to such funds.

Also: Passed Senate Bill No. 402—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to furnish and repair his office, and making an appropriation therefor.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 594, 950, and 938 ordered to enrollment.

Senate Bill No. 402—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to furnish and repair his office, and making an appropriation therefor.

Read first time, and ordered on Senate special file for second reading.

Also :

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes, and additional classrooms at the State Normal School in San José, and to provide for furnishing equipment and heating and ventilation apparatus therefor, and making appropriation for the same.

F. J. BRANDON, Secretary of Senate
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 424 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 504—An Act making an appropriation to pay expenses incurred at the State Forestry Station, at Chico, California.

Also: Senate Bill No. 445—An Act making an appropriation to pay for a concrete floor in basement of State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Also: Assembly Bill No. 618—An Act making an appropriation to pay the claim of Office Specialty Manufacturing Company, for metallic furniture furnished the office of the Clerk of the Supreme Court at Sacramento.

Also: Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Renzi for services rendered the State Board of Silk Culture as instructress and silk expert.

Also: Assembly Bill No. 730—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to the said William Henry Murray from the State of California.

F. J. BRANDON, Secretary of Senate
By F. L. THOMAS, Assistant Secretary.

Assembly Bills Nos. 618, 756, and 730 ordered to enrollment.

Senate Bill No. 445—An Act making an appropriation to pay for concrete floor in basement of State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 504—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read first time, and ordered on Senate special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendment to Assembly Bill No. 637—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act approved March 26, 1895, entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State'"—and appointed Senators Dwyer, Laird, and Maggard as a committee of conference to meet a like committee from the Assembly.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your committee of conference concerning Assembly Bill No. 637—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act approved March 26, 1895, entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State'"—report that we have met a like committee of the Senate consisting of Senators Dwyer, Maggard, and Laird, and we report that the conference committee recommends that the Assembly concur in the Senate amendments.

COBB,
Chairman of Committee of Conference of the Assembly.

CONSIDERATION OF SENATE AMENDMENTS.

Assembly Bill No. 637—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State," as amended by an Act approved March 29, 1897, entitled "An Act to amend an Act approved March 26, 1895, entitled 'An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State.'"

Mr. Cobb moved that the Assembly concur in the following Senate amendments to Assembly Bill No. 637:

Amend by striking out the words, in brackets, in lines 21, 22, and 23, page 2, printed bill, and inserting in lieu thereof the following: "in the event of a vacancy in said committee on retirement, the Superintendent of Schools shall appoint another qualified person to fill said vacancy, who shall constitute a member of said committee on retirement until the next annual election."

Also: Amend by striking out the word "for" in line 74, page 4, printed bill, and inserting in lieu thereof the word "from."

Also: Amend by adding after the word "teachers," in line 11, page 6, printed bill, the words "annuity and."

Also: Amend by striking out the letter "s" in "Boards of Education," in line 26, page 6, printed bill.

Also: Amend by adding after the word "teachers," in line 6, page 2, printed bill, the words "annuity and."

Also: Amend by striking out the word "amended," in line 2, page 8, printed bill, and inserting in lieu thereof the word "repealed."

Also: Amend by striking out the word "the" before the word "Senate" in the enacting clause.

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Atherton, Beecher, Belshaw, Bliss, Blood, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Devoto, Dibble, Dunlap, Fairweather, Feltz, Hoey, Jilson, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, McDonald of Tuolumne, Mead, Meserve, Milner, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Raw, Rickard, Stewart, Valentine, Wade, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 637 ordered to reëngrossment and enrollment.

At ten o'clock and forty-five minutes A. M., the Speaker called Speaker pro tem. Dunlap to the chair.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate is in receipt of your communication returning for correction Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales—and herewith returns the said bill corrected.

Also: Amended, and passed as amended, Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 292 ordered to reënrollment.

Assembly Bill No. 581—An Act to provide for the payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 581:

Amend by striking out of Section 1, line 33, the dashes "— —," and inserting the following: "J. J. Snyder, one hundred and seventy-two and fifty-nine one hundredths dollars."

Also: Amend by striking out of Section 1, lines 1 and 2, the words "four thousand one hundred and fifty-two and ninety-eight," and inserting the following: "four thousand three hundred and twenty-eight and fifty-seven."

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Brooke, Burnett, Caminetti, Cargill, Clark, Cobb, Conrey, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Johnson, Kelsey, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, and Wade—43.

NOES—None.

Assembly Bill No. 581 ordered reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Mr. Meserve moved that the Assembly concur in the following Senate amendments to Assembly Bill No. 54:

Amend by striking out of Section 1, line 1, the word "eighty-four" and inserting the word "forty-five."

Also: Amend by striking out of Section 1, line 5, the word "central."

Also: Amend Section 1, line 6, by inserting after the word "building" the words "or cottage."

Also: Amend by striking out of Section 1, line 6, the words "office and"

Also: Amend by striking out of Section 1, lines 7, 8, and 9, all after the word "same," in line 7, and inserting the following: "forty thousand dollars, and for the erection of a residence for the medical superintendent and for furnishing the same, five thousand dollars."

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Crowder, Dibble, Dunlap, Fairweather, Glenn, Johnson, Kelsey, Knights, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, and Wade—42.

NOES—None.

Assembly Bill No. 54 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Also: Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis

And respectfully ask the concurrence of your honorable body in said amendments

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 309—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 309:

Strike out all of Section 3, and insert a new Section 3 in lieu thereof to read as follows: "SEC 3. This Act shall take effect immediately, *provided, however*, that the amount herein appropriated shall be available only after the first day of January, nineteen hundred."

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowder, Dale, De Lancei, Dunlap, Fairweather, Glenn, Hoey, Johnson, Kelsey, Knights, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of Los Angeles, O'Brien, Pierce, Radcliff, Robinson, Stewart, Eugene Sullivan, Valentine, and Wade—42.

NOES—None.

Assembly Bill No. 309 ordered to reëngrossment and enrollment.

Assembly Bill No. 574—An Act to pay the claim of Talbot H. Wallis.

Mr. Johnson moved that the Assembly concur in the following Senate amendments to Assembly Bill No. 574:

Amend by inserting the words "against the State of California," in title, page 1, printed bill.

Also: Amend by striking out the words "from and after its passage," in line 1, Section 2, page 1, printed bill, and inserting in lieu thereof the following: "after the first day of January, nineteen hundred."

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Brooke, Burnett, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Dale, De Lancei, Devoto, Dibble, Dunlap, Fairweather, Glenn, Johnson, Kelsey, Knowland, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of San Francisco, O'Brien, Pierce, Radcliff, Robinson, Stewart, Eugene Sullivan, Valentine, and Wade—41.

NOES—None.

Assembly Bill No. 574 ordered to reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 622—An Act making an appropriation to pay the contingent expenses of the Commissioners for the Revision and Reform of the Law, for the forty-eighth, forty-ninth, and fiftieth fiscal years.

Also: Senate Bill No. 623—An Act to appropriate the sum of \$81 18 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Also: Senate Bill No. 624—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun, for money due and owing the said Scott Calhoun from the State of California.

Also: Senate Bill No. 625—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett, for money due and owing the said M. G. Barrett from the State of California.

Also: Senate Bill No. 306—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Also: Senate Bill No. 500—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Bill No. 622—An Act making an appropriation to pay the contingent expenses of the Commissioners for the Revision and Reform of the Law, for the forty-eighth, forty-ninth, and fiftieth fiscal years.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 623—An Act to appropriate the sum of \$81 18 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 624—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun for money due and owing the said Scott Calhoun from the State of California.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 625—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett for money due and owing the said M. G. Barrett from the State of California.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 396—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Read first time, and ordered on Senate special file for second reading.

Senate Bill No. 500—An Act to pay the claim of Edwin J. Card against the State of California, and to appropriate money therefor.

Read first time, and ordered on Senate special file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, MARCH 17, 1890.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Substitute for Assembly Bill No. 728—An Act appropriating money to pay the expenses of assisting in the maintenance of an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Also: Assembly Bill No. 729—An Act authorizing the appropriation of moneys by the several counties, and cities and counties, and the municipal corporations, for the purpose of advancing and maintaining their respective interests, by exhibit of products and otherwise, at the "Pacific Ocean and International Exposition."

Also: Senate Bill No. 166—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages.

Also: Assembly Bill No. 455—An Act to appropriate the sum of \$1000 to pay the claim of John C. Felton for money due and owing the said John C. Felton from the State of California.

Also: Assembly Bill No. 995—An Act to create and regulate public warehouses within the State of California, and to provide a penalty for violations of the provisions of this Act.

Also: Assembly Bill No. 741—An Act entitled "An Act to create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor; and to prescribe the punishment for a violation of the game laws of this State."

Also: Refused to adopt Assembly Constitutional Amendment No. 19—A resolution to amend Section 1 of Article XIII, and to repeal Sections 4 and 5 of Article XIII of the Constitution.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Senate Substitute for Assembly Bill No. 728—An Act appropriating money to pay the expenses of assisting in the maintenance of an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Read first time, and ordered on Senate special file for second reading, and made special order for to-night at eight o'clock.

Assembly Bills Nos. 729, 455, 995, and 741 ordered to enrollment.

Senate Bill No. 166—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, defining mortgages.

Read first time, and ordered on Senate special file for second reading.

By Mr. Valentine:

RESOLUTION.

Resolved, That committee clerks J. L. Gillis, E. J. Dwyer, and J. L. Maude be each allowed the sum of one hundred and fifty dollars (\$150) as payment for overtime work and additional services rendered the thirty-third session of the California Legislature, and for the completion of all unfinished clerical committee work after the adjournment of the Legislature, and the Controller is hereby directed to immediately draw his warrants against the Contingent Fund of the Assembly in said amount in favor of said persons, and the State Treasurer is hereby directed to pay said warrants.

Resolution adopted.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That W. O. Banks, Sergeant-at-Arms of the Assembly, and Robert Corlett, Bookkeeper, and John Kofod, Porter, be and they are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolving upon the Sergeant-at-Arms in turning over to the Secretary of State the books, papers, and personal property in his charge, and in closing up all his accounts, and completing the duties of his office with the State Controller, and that they be allowed one week's extra pay therefor.

Second—That W. O. Banks, Sergeant-at-Arms of the Assembly, be allowed the sum of \$85 for hack hire, subpoenas, witness fees, and other expenses appertaining to his office, and the Controller is hereby directed to draw his warrant on the Contingent Fund of the Assembly in payment for the same, and the State Treasurer is hereby authorized to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That the Postmistress, Miss Reba Blood, and the Mail Carrier, John J. Hillard, be and they are hereby directed to remain at the Capitol for one week after the adjournment of the Assembly, for the purpose of caring for the mail and sending the same to the members and others, and that they be allowed their regular per diem therefor, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in payment for the same, and the Treasurer is hereby authorized to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Roll call was demanded by Messrs. Lundquist, Conrey, and Valentine.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Brooke, Brown, Barnett, Cargill, Clark, Cobb, Cosper, Cowan, Crowder, De Lancey, Devoto, Dibble, Dunlap, Glenn, Griffin, Gilson, Johnson, Le Baron, Lundquist, Mack, Marvin, McDonald of Alameda, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Radcliff, Raub, Raw Rickard, Sanford, Stewart, Eugene Sullivan, and Valentine—42.

NOES—Messrs. Conrey, Feliz, Lardner, Merritt, and Wade—5.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That C. O. Wellock, Engrossing and Enrolling Clerk, and H. A. Wright, First Assistant Engrossing and Enrolling Clerk, be and they are hereby directed to remain at the Capitol after final adjournment of the Assembly to complete the work of

the engrossing and enrolling departments, and they are hereby allowed the sum of \$50 each for such work, payable out of the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for said sums, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Resolution laid on the table.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That Leland Stanford Murphy, who has been acting as Page of the Assembly without pay, be and he is hereby awarded the sum of \$25 as a reward for his services, and the Controller is hereby requested to draw his warrant for said sum in favor of said Murphy, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Report and resolution adopted.

RESOLUTION.

By Mr. McDonald of Alameda:

Resolved, That A. J. McDonald be and he is hereby continued as Messenger to the State Printer after adjournment of the Assembly until the work at the desk is finished, and that the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of thirty-five dollars (\$35) in favor of A. J. McDonald, and the State Treasurer is hereby authorized to pay the same out of the Contingent Fund of the Assembly.

Resolution adopted.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, and the Treasurer is instructed to pay the same, for \$206 05 in favor of Morris Brooke, to be by him distributed in accordance with the itemized bill hereto annexed.

Expenses incurred by Morris Brooke, Assembly man from the Twenty-second Assembly District of the State of California, in the matter of the contest instituted by William Johnston:

Fee of attorney.....	\$100 00
Services of watchman at place of deposit of ballots.....	10 00
Tally clerk.....	5 00
Incidental expenses, incurred in securing evidence.....	17 50
County Clerk's costs, filing answer.....	2 00
Notary fees, verifying answer.....	50
Services of J. S. Boggess, serving nineteen subpoenas, at 25 cents apiece.....	4 75
One hundred miles traveled serving nineteen subpoenas, at 25 cents per mile.....	25 00
Witness fees—	
Charles Conley, Clay Station, one day's attendance, thirty-four miles traveling.....	4 40
Peter Schulp, Cosumnes, one day's attendance, twenty miles traveling.....	3 00
S. B. Moore, Cosumnes, one day's attendance, twenty miles traveling.....	3 00
D. L. Davis, Arno, one day's attendance, twenty miles traveling.....	3 00
Dennis Moroney, Arno, one day's attendance, twenty miles traveling.....	3 00
David Coons, Elk Grove, one day's attendance, sixteen miles traveling.....	2 60
Fred Strader, Elk Grove, one day's attendance, sixteen miles traveling.....	2 60
George Menke, Rautier's, one day's attendance, eleven miles traveling.....	2 10
Charles Studarus, Rautier's, one day's attendance, eleven miles traveling.....	2 10

J. E. Camp, Perkins, one day's attendance, nine miles traveling..	\$1 90
William Fey, Perkins, one day's attendance, eight miles traveling	1 80
C. C. Carpentier, Swiss Station, one day's attendance, five miles traveling.....	1 50
J. H. Hayden, Oak Park, one day's attendance, five miles traveling	1 50
J. W. Hall, Oak Park, one day's attendance, five miles traveling..	1 50
J. A. Ried, Oak Park, one day's attendance, five miles traveling ..	1 50
Fred Higgs, Oak Park, one day's attendance, five miles traveling.	1 50
C. D. Brooks, Oak Park, one day's attendance, five miles traveling	1 50
Antone Koch, Oak Hall, one day's attendance, four miles traveling	1 40
Frank O'Brien, Oak Hall, one day's attendance, four miles traveling.....	1 40
Total.....	\$206 05

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

LUNDQUIST, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1890.

MR. SPEAKER Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That Forest J. Swears be and he is hereby appointed Page and Messenger to the clerks at the desk after adjournment of the Assembly until all work at the desk is finished, and that the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of \$35 in favor of Forest J. Swears, and the State Treasurer is hereby authorized to pay the same out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LUNDQUIST, Chairman.

Laid on the table.

RESOLUTION.

By Mr. Mead:

Resolved, That the Senate be requested to permit the use of Senate chairs during the joint session to-day, the same to be in charge of the Sergeant-at-Arms of the Assembly.

Resolution adopted.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1890.

MR. SPEAKER: Your committee of free conference concerning Senate Bill No. 337—An Act to amend Section 591 of the Penal Code—report that we have met a like committee of the Senate, consisting of Senators Morehouse, Bulla, and Prisk, and we report that the free conference committee agreed upon and recommend that the Senate concur in Assembly Amendment No. 2 to said bill.

BROWN,

Chairman of Committee of Free Conference of the Assembly

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1890.

MR. SPEAKER Your committee of free conference concerning Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897—report that we have met a like committee of the Senate, consisting of Senators Cutter, Currier, and Langford, and we report that the free conference committee recommend that the Senate concur in the Assembly amendments.

DIBBLE,
RICKARD,
COWAN,

Committee of Conference of the Assembly.

Report adopted.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 18, 1890.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 846—An Act to pay the claim of J. E. Atkinson, and making an appropriation therefor.

Also: Amended, and passed as amended, Assembly Bill No. 1014—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring indebted-

ness, by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks'; and also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' by adding two new sections thereto, numbered $5\frac{1}{2}$ and $7\frac{1}{2}$ respectively, said new sections relating to the character, denomination, rate of interest, manner of issuance and sale of, and method of levy and collection of tax on municipality for payment of bonds issued in accordance with said Act.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 846 ordered to enrollment.

Assembly Bill No. 1014—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring indebtedness, by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks'; and also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" by adding two new sections thereto, numbered $5\frac{1}{2}$ and $7\frac{1}{2}$ respectively, said new sections relating to the character, denomination, rate of interest, manner of issuance and sale of, and method of levy and collection of tax on municipality for payment of bonds issued in accordance with said Act.

Mr. Dibble moved that the Assembly concur in the following Senate amendment to Assembly Bill No. 1014:

Amend by inserting after the title the following: "The people of the State of California, represented in Senate and Assembly, do enact as follows"

The roll was called, and Senate amendment concurred in by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Brooke, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cosper, Crowder, De Lancei, Devoto, Dibble, Dunlap, Glenn, Griffin, Hilson, Johnson, Kennecally, Knights, Knowland, La Bree, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raub, Robinson, Stewart, Eugene Sullivan, Wade, White, and Wright—50.

NOES—None.

Assembly Bill No. 1014 ordered to reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the committee of free conference on Assembly Bill No. 249—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—whereby said bill was amended as follows:

That Senate Amendment No. 2 be amended to read as follows: "provided, that in case of animal tankage, sold as such for manurial purposes, a deficiency of not more than one per cent of nitrogen, or one and one half per cent of phosphoric acid, or one half of one per cent of potash, shall not subject the manufacturer to the penalties provided in this Act."

And finally passed as amended by free conference committee on March 18th.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 249 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 283—An Act to appropriate money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Also: Amended, and passed as amended, Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate and the effect of such certificate.

Also: Amended, and passed as amended, Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of State hospitals for the insane, and to provide for the care, custody and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

And respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate and the effect of such certificate.

Mr. Mead moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 464:

Amend by adding to Section 1 the words "except as to corporations which have not commenced business under their articles of incorporation or have, at any time, ceased, for the period of one year, to transact business in good faith under such certificate, and provided further, that corporations, if any, against which proceedings are pending, shall not be affected hereby"; also, strike out the period on line 19 of Section 1.

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boone, Burnett, Caminetti, Chynoweth, Clark, Cospet, Dibble, Dunlap, Glenn, Griffin, Hoey, Jilson, Johnson, Kenneally, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Mlice, Miller of Los Angeles, O'Brien, Pierce, Raub, Raw, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and Wright—44.

NOES—None.

Assembly Bill No. 464 ordered to reengrossment and enrollment.

Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of State hospitals for the insane, and to provide for the care, custody and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

Mr. Raub moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 506:

Amend by striking out in Section 2 all of subdivision 1, printed bill, and inserting in lieu thereof the following: "1. A medical superintendent, who shall be a well-educated physician, a graduate of an incorporated medical college, of good moral character, and who has had not less than three years' experience in the care and treatment of the insane. The medical superintendent, and all the assistant physicians of the homeopathic hospital for its insane, shall be homeopathic physicians. Its superintendent shall be a well-educated physician, a graduate of an incorporated medical college, of good moral character, and who has had not less than three years' experience in the cure and treatment of the insane in hospitals for the treatment of the insane."

Also: Amend by inserting in line 62, page 4, printed bill, before the word "Superintendent" the word "general."

Also: Amend by inserting in line 62, page 4, printed bill, after the word "Superintendent" the following: "of State hospitals."

Also: Amend by striking out of Section 3, lines 64, 65, 66, and 67, being subdivision 6, of printed bill, and inserting in lieu thereof the following:

"6. The medical superintendent may remove any resident officer or employé for cause, pending the meeting of the Board of Managers. The removal of employes, other

than resident officers, shall be reported to the Board of Managers for their action, which shall be final, and in case of resident officers notice in writing must be immediately given to the resident officer removed, and to each member of the Board of Managers. At the next meeting of the Board of Managers, or at the meeting to which it has been regularly postponed, such removal shall be considered and the person removed be heard, after which the managers shall determine what shall be done in the matter, which judgment shall be final. If the officer or employé be removed, the Superintendent shall make a record thereof, with the reasons therefor, under the appropriate head in one of the books of the hospital. Any officer or employé of a State hospital taking an active part in politics, either directly or indirectly, shall be summarily removed from such hospital.

"7. The superintendent, assistant physicians, steward, supervisor, and matron, shall reside in the hospital or on the premises, and shall be designated the resident officers of the hospital;

"(c) Transmit, by mail, to the State Lunacy Commission, within five days after such discharge has been approved by the Board of Managers, information of any such discharge, and the cause thereof. The commission shall preserve the name of any such officer, or employé, with the facts relating to his discharge, in a book provided for that purpose;

"(d) Give such orders and instructions as he may deem best calculated to insure good conduct, fidelity, and economy in every department of labor and expense;

"(e) Maintain salutary discipline among all who are employed in the institution and enforce strict compliance with his instructions and uniform obedience to all rules and regulations of the hospital;

"(f) Cause full and fair accounts and records of the entire business and operation of the hospital, to be kept regularly, from day to day, in books or forms provided for that purpose;

"(g) See that all such accounts and records are fully up to the last day of June in each year, and that the principal facts and results, with his report thereon, be presented to the managers within thirty days thereafter, who shall incorporate it in their report to the commission

"(h) Keep a book in which he shall cause to be entered at the time of reception of any patient, his name, residence, and occupation, and the date of such reception, by whom brought, and by what authority, and on whose petition committed, and an abstract of all orders, warrants, requests, petitions, certificates, and other papers accompanying such person;

"(i) The medical superintendents shall be required to prepare and keep the payrolls of the hospitals, and to collect all moneys; keep the accounts for the support of the patients, and expenses incurred in their behalf; furnish the Treasurer statements thereof as they fall due, turn all moneys collected over to the Treasurer, and report same to the Board of Managers at each meeting; notify the Treasurer of the death or discharge of reimbursing or pay patients, within five days after such death or discharge,

"(j) Prepare triplicate estimates of the amount, kind, and quality of furniture and household furnishing goods, provisions, fuel, forage, clothing, or material for clothing, and other material required for the twelve months ending June thirtieth of each year, which shall be approved by the Board of Managers, unless a different time be allowed by the commission. He shall submit two of the triplicate estimates to the commission, and file the third in his office. The commission may revise the estimate for supplies, either as to quality or quantity thereof, and shall certify that it has carefully examined the same, and that the articles contained in such estimate, as approved by it, are actually required for the use of the hospital, whereupon, after having approved the estimates the commission shall, beginning upon the fifteenth day of the month preceding the month in which contracts are to be let, advertise, for four successive weeks, for contracts for furnishing such supplies, said advertisement being in brief, referring to the class of supplies and the fact that all contemplated bidders can receive schedules by applying to the superintendents or secretaries of the various hospitals, or the State Commission. All contracts shall be awarded to the lowest responsible bidder, or bidders, upon their giving to the Board of Managers a bond, amounting to one fourth of their actual bids, as security for the faithful performance of the same. The Board of Managers reserve the right to reject any and all bids submitted to them,

"(k) Prepare monthly triplicate estimates as approved by the Board of Managers, two of which must be submitted to the commission and the other filed in the superintendent's office, for necessary expenditures required for the hospital for which he is superintendent, for the ensuing month. The commission may revise estimates for supplies, either as to the quality, quantity or price thereof, and shall certify that they have been carefully examined, and that the articles contained in such estimates, as approved by it, are actually required for the use of the hospital; whereupon the Board of Managers shall direct the superintendent to secure the supplies according to the approved estimates."

The roll was called, and Senate amendments concurred in by the following vote:

Ayes—Messrs. Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Bovnton, Brooke, Burnett, Cammett, Cargill, Chynoweth, Clark, Clough, Cosper, Cowan, De Lancey, Dibble, Dunlap, Griffin, Hanley, Henry, Jilson, Johnson, Kelsey, Kennally, Knights, Knowland, La Barea, Le Baron, Lardner, Mack, Marvin, McDonald of Ala-

meda, McDonald of Tuolumne, McKeen, Mead, Merritt, Meserve, Miller of San Francisco, O'Brien, Raub, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, Works, and Wright—51.

Nays—None.

Assembly Bill No 506 ordered to reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to pass Assembly Bill No. 279—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Also: Passed Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Also: Refused to pass Assembly Bill No. 306—An Act amending the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known and designated as Section 1498, making the expense of giving a bond by administrators, executors, trustees, receivers, and assignees an expense payable as an expense of administration.

Also: Passed Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any and all moneys or assets for which such sureties are or may be held responsible.

Also: Passed Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines.

Also: Passed Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing and sparring matches, and prize or ring fights.

Also: Passed Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen, of such veteran volunteer firemen.

Also: Passed Assembly Bill No. 677—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, poultry, grain, fruit, seeds, honey, or dairy produce.

G. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 447, 305, 629, 588, 449, and 677 ordered to enrollment.

The hour of twelve o'clock M. having arrived, the Speaker announced the arrival of the Senate, and the two houses went into Joint Assembly.

IN JOINT ASSEMBLY.

ASSEMBLY CHAMBER,

Saturday, March 18, 1899. }

The hour of twelve o'clock M. having arrived, the Senate and Assembly met in Joint Assembly for the purpose of proceeding with the election of a Senator in Congress, pursuant to an Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of Sections 14 and 15 of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, 1873," approved January 22, 1874.

Hon. Thomas Flint, Jr., President pro tem. of the Senate, and Hon. Alden Anderson, Speaker of the Assembly, presiding.

ROLL CALL OF JOINT ASSEMBLY.

The President pro tem. of the Senate called the Joint Assembly to order, and directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Ashe, Bettman, Boyce, Brauhart, Bulla, Burnett, Chapman, Currier, Curtin, Cutler, Davis, Dickinson, Doty, Dwyer, Feeney, Flint, Gillette, Goad, Hall, Hoey, Jones, Laird, Langford, La Rue, Leavitt, Luchsinger, Maggard, Morehouse, Nutt, Pace, Prisk, Rowell, Shortridge, Simpson, Sims, Smith, Stratton, Taylor, Trout, and Wolfe—40.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Camineth, Cargill, Chynoweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Crowley, Dale, De Lancia, Devoto, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Le Baron, Lardner, Lundquist, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Mihce, Miller of Los Angeles, Miller of San Francisco, Muenster, O'Brien, Pierce, Radcliff, Raub, Raw, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Eugene Sullivan, Valentine, Wade, Wardell, White, Works, and Wright—80.

Quorum of Joint Assembly present.

JOINT ASSEMBLY JOURNAL READ AND APPROVED.

The President pro tem. of the Senate directed the Secretary of the Senate to read the Journal of the Joint Assembly of Friday, March 17, 1899.

The same was read and approved.

ELECTION OF UNITED STATES SENATOR.

The Speaker of the Assembly announced that the proceedings of the Joint Assembly of Friday, March 17, 1899, resulted in no election of United States Senator, and declared that the election of a Senator in Congress to succeed the Hon. Stephen M. White was now in order.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutler, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators.....	40
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes
James D. Phelan received	2 votes.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Julson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Launcie, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Mihce, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Griffin, Hanley, Mack, Mead, Meserve, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—16.

For John Rosenfeld—Mr. Crowley—1.

For C. A. Barlow—Messrs Brooke and Burnett—2.

For James D. Phelan—Messrs. Glenn and Hoey—2.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	19 votes
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote
Stephen M. White received	16 votes.
James D. Phelan received	2 votes.
C. A. Barlow received	2 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	120
Necessary to a choice	61
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	6 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	26 votes.
James D. Phelan received	4 votes.
C. A. Barlow received	2 votes.
Van R. Paterson received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators	40
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancey, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs Cosper, Dunlap, and La Barea—3.

For Marion De Vries—Messrs. Brooke and Burnett—2.

For Stephen M. White—Messrs. Boone, Cammett, Cowan, Fairweather, Feliz, Griffin, Hanley, Mack, Mead, Meserve, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.

For John Rosenfeld—Mr. Crowley—1

For James D. Phelan—Messrs. Glenn, Hoey, and O'Brien—3.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	19 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	3 votes.
Marion De Vries received	2 votes.
Stephen M. White received	15 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	3 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	120
Necessary to a choice	61
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	6 votes.
Marion De Vries received	2 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	25 votes.
James D. Phelan received	5 votes.
Van R. Paterson received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators.....	40
W. H. L. Barnes received.....	7 votes.
D. M. Burns received.....	8 votes
U. S. Grant, Jr., received.....	8 votes
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
James D. Phelan received.....	2 votes.
Van R. Paterson received.....	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Devoto, Dibble, Henry, Johnson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—19.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, Marvin, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Cosper, Dunlap, and La Barea—3.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Fairweather, Feliz, Grullin, Hanley, Mack, Mead, Meserve, Sanford, Stewart, E. D. Sullivan, Wardell, and White—15.

For James D. Phelan—Messrs. Burnett, Glenn, Hoey, and O'Brien—4.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	14 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	19 votes.
U. S. Grant, Jr., received.....	22 votes
Irving M. Scott received.....	3 votes.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	15 votes.
James D. Phelan received.....	4 votes
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	120
Necessary to a choice.....	61
W. H. L. Barnes received.....	21 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	27 votes.
U. S. Grant, Jr., received.....	30 votes
Irving M. Scott received.....	6 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	25 votes.
James D. Phelan received.....	6 votes.
Van R. Paterson received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

RESOLUTION.

Assemblyman Dibble introduced the following resolution, and moved its adoption:

Resolved, That the Joint Assembly take a recess until four o'clock this afternoon, and that balloting be then resumed.

During the discussion of the resolution, Senator Leavitt moved the previous question.

The question being, "Shall the main question be put?"

The question was put and carried.

The President pro tem. of the Senate directed the Secretary to call the roll of Senators on the adoption of the resolution.

The roll was called, with the following result:

AYES—Senators Bettman, Bulla, Burnett, Carrier, Dickinson, Feeney, Flint, Hoey, Laird, Leavitt, Luchsinger, Morehouse, Shortridge, Simpson, Stratton, Taylor, Trout, and Wolfe—18

NOES—Senators Ashe, Boyce, Braunhart, Chapman, Curtin, Cutter, Davis, Doty, Dwyer, Gillette, Goad, Hall, Jones, Langford, La Rue, Maggard, Nutt, Pace, Prisk, Rowell, Sims, and Smith—22.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen on the adoption of the resolution.

The roll was called, with the following result:

AYES—Messrs Arnerich, Atherton, Barry, Beecher, Belshaw, Boynton, Brown, Clough, Cobb, Conroy, Cosper, Crowley, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barea, Lardner, Lundquist, Marvin, McKeen, Melick, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Rickard, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—38.

NOES—Messrs Bliss, Blood, Boone, Brooke, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cowan, Crowder, Dale, De Lancia, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Huber, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Wardell, White, and Works—40.

The President pro tem. of the Senate announced the vote as follows: ayes, 56; noes, 62. And thereupon announced the resolution lost.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Carrier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators	40
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, I. E. Sullivan, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milce, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Barea—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.

For James D. Phelan—Messrs. Burnett, Fairweather, Glenn, Hoey, and O'Brien—5.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	14 votes
M. M. Estee received	1 vote.
D. M. Burns received	21 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	13 votes.
James D. Phelan received	5 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	120
Necessary to a choice	61
W. H. L. Barnes received	21 votes.
M. M. Estee received	1 vote.
D. M. Burns received	29 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	23 votes.
James D. Phelan received	7 votes.
Van R. Paterson received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

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The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentert, and Valentine—14

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKee, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr—Messrs Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Barea—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.

For James D. Phelan—Messrs. Burnett, Fairweather, Glenn, Hoey, and O'Brien—5.

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The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

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For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

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The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Barea—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.

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D. M. Burns received	29 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	23 votes.
James D. Phelan received	7 votes.
Van R. Paterson received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Prisk, and Sims—9.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Puterson—Senator Langford—1.

For C. L. La Rue—Senator Pace—1.

Whole number of votes cast by Senators.....	40
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	9 votes.
James D. Phelan received	2 votes.
Van R. Puterson received	1 vote.
C. L. La Rue received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Barea—2.

For J. F. Smith—Mr. O'Brien—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.

For James D. Phelan—Messrs. Burnett, Fairweather, Glenn, and Hoey—4.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	21 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	2 votes.
J. F. Smith received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	13 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	4 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	120
Necessary to a choice.....	61
W. H. L. Barnes received.....	21 votes.
M. M. Estee received ..	1 vote.
D. M. Burns received.....	29 votes.
U. S. Grant, Jr., received.....	30 votes.
Irving M. Scott received.....	5 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	22 votes.
James D. Phelan received.....	6 votes.
Van R. Paterson received.....	1 vote.
C. L. La Rue received.....	1 vote.
J. F. Smith received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

RESOLUTION.

Senator Stratton offered the following resolution, and moved its adoption :

Resolved, That this Joint Assembly take a recess until seven o'clock and thirty minutes this evening, when balloting shall be resumed.

The following substitute was offered by Senator Cutter :

Resolved, That the Joint Assembly take twelve more ballots, unless a United States Senator be sooner elected; and that after the declaration of the result of said twelfth ballot, and the reading and approval of the Journal, the Joint Assembly do adjourn *sine die*.

The question being on the adoption of the substitute.

The ayes and noes were demanded by Senators Morehouse and Boyce and Assemblyman Johnson.

The President pro tem. of the Senate directed the Secretary to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Ashe, Boyce, Braunhart, Chapman, Curtin, Cutter, Davis, Doty, Dwyer, Goad, Hall, Jones, La Rue, Maggard, Nutt, Pace, Frisk, Rowell, Sims, Taylor, and Trout—21.

NOES—Senators Bettman, Bulla, Burnett, Currier, Dickinson, Feeney, Flint, Gillette, Hoey, Laird, Langford, Leavitt, Luchsinger, Morehouse, Shortridge, Simpson, Smith, Stratton, and Wolfe—19.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result :

AYES—Messrs. Belshaw, Bliss, Blood, Boone, Brooke, Brown, Caminetti, Chynoweth, Cowan, Crowder, Dale, De Lancie, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, La Barea, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milice, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Wardell, White, and Works—40.

NOES—Messrs. Anderson, Arnerich, Atherton, Barry, Beecher, Boynton, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowly, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Lardner, Lundquist, Marvin, McKeen, Melick, Merrill, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Rickard, Eugene Sullivan, Valentine, Wade, and Wright—38.

The President pro tem. of the Senate announced that the substitute had been adopted by the following vote : ayes, 61 ; noes, 57.

The President pro tem. of the Senate directed the Secretary of the

Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senators Good and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators.....	40 votes.
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	10 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muenter, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lance, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Bree—2.

For J. F. Smith—Messrs. Fairweather and O'Brien—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, E. P. Sullivan, Wardell, and White—13.

For James D. Phelan—Messrs. Burnett, Glenn, and Hoey—3.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	21 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	2 votes.
J. F. Smith received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	13 votes.
James D. Phelan received	3 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	120
Necessary to a choice	61
W. H. L. Barnes received	21 voter
M. M. Estee received	1 vote.
D. M. Burns received	29 votes
U. S. Grant, Jr., received	30 votes

Irving M. Scott received	5 votes.
J. F. Smith received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	23 votes.
James D. Phelan received	5 votes.
John Rosenfeld received	2 votes.
Van R. Paterson received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators	40
W. H. L. Barnes received	7 votes
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote
Stephen M. White received	10 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, Muentner, and Valentine—14.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs Bhss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Barea—2.

For J. F. Smith—Mr. Fairweather—1.

For Marion De Vries—Mr Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, E. D. Sullivan, Wardell, and White—13.

For John Rosenfeld—Mr. Crowley—1.

For James D. Phelan—Messrs Burnett, Glenn, Hoey, and O'Brien—4.

Whole number of votes cast by Assemblymen	80
W. H. L. Barnes received	14 votes.
M. M. Estee received	1 vote.
D. M. Burns received	21 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	2 votes.
J. F. Smith received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	13 votes.
John Rosenfeld received	1 vote.
James D. Phelan received	4 votes.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	120
Necessary to a choice.....	61
W. H. L. Barnes received	21 votes.
M. M. Estes received	1 vote.
D. M. Burns received	29 votes
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	5 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes
Stephen M. White received	23 votes.
James D. Phelan received	6 votes.
Van R. Paterson received	1 vote.
J. F. Smith received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, Stratton, and Taylor—7

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeny—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Dwyer, La Rue, Pace, Prisk, and Sims—9.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senator Langford—1.

Whole number of votes cast by Senators.....	39
W. H. L. Barnes received	7 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	9 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, and Valentine—13.

For M. M. Estes—Mr. Wade—1

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lance, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Messrs. Dunlap and La Barea—2.

For Van R. Paterson—Mr. Muentner—1.

For J. F. Smith—Mr. Fairweather—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Boone, Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Sanford, Stewart, Wardell, and White—12.

For James D. Phelan—Messrs. Burnett, Glenn, Hoey, and O'Brien—4.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	79 votes.
W. H. L. Barnes received.....	13 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	21 votes.
U. S. Grant, Jr., received.....	22 votes.
Irving M. Scott received.....	2 votes.
Van R. Paterson received.....	1 vote.
J. F. Smith received.....	1 vote.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	12 votes.
James D. Phelan received.....	4 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows :

Whole number of votes cast.....	118 votes
Necessary to a choice.....	60 votes.
W. H. L. Barnes received.....	20 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	29 votes.
U. S. Grant, Jr., received.....	30 votes.
Irving M. Scott received.....	5 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	21 votes.
James D. Phelan received.....	6 votes.
Van R. Paterson received.....	2 votes.
J. F. Smith received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Chapman, Curtin, Doty, Dwyer, La Rue, Prisk, and Sims—8.

For James D. Phelan—Senators Brauhart, Goad, Hall, and Pace—4.

For Van R. Paterson—Senators Langford and Taylor—2.

Whole number of votes cast by Senators.....	40 votes.
W. H. L. Barnes received.....	6 votes.
D. M. Burns received.....	8 votes.
U. S. Grant received.....	8 votes.
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	8 votes.
James D. Phelan received.....	4 votes.
Van R. Paterson received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, and Valentine—13.
For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lantie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Bree and Muentner—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Cowan, Feliz, Griffin, Hanley, Mack, Mead, Stewart, Wardell, and White—9.

For James D. Phelan—Messrs. Boone, Burnett, Glenn, Hoey, O'Brien, Sanford, and E. D. Sullivan—7.

For John Rosenfeld—Mr. Crowley—1.

For J. F. Smith—Mr. Fairweather—1.

Whole number of votes cast by Assemblymen.....	79
W. H. L. Barnes received	13 votes.
M. M. Estee received	1 vote.
D. M. Burns received	21 votes.
U. S. Grant, Jr., received	22 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
Marion De Vries received	1 vote.
Stephen M. White received	9 votes.
James D. Phelan received	7 votes.
John Rosenfeld received	1 vote.
J. F. Smith received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	119
Necessary to a choice	60
W. H. L. Barnes received	19 votes.
M. M. Estee received	1 vote.
D. M. Burns received	29 votes.
U. S. Grant, Jr., received	30 votes.
Irving M. Scott received	4 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	17 votes.
James D. Phelan received	11 votes.
Van R. Paterson received	4 votes.
J. F. Smith received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luhsinger, Morehouse, and Stratton—6.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Simpson, and Wolfe—7.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, La Rue, Frisk, and Sims—8.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senators Langford and Taylor—2.

Whole number of votes cast by Senators.....	37
W. H. L. Barnes received	6 votes.
D. M. Burns received	7 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.

John Rosenfeld received.....	1 vote.
Stephen M. White received.....	8 votes.
James D. Phelan received.....	2 votes.
Van R. Paterson received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, and Valentine—12.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr—Messrs. Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Mihce, Radcliff, Raub, Raw, Robinson, and Works—21.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Barea and Muentner—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Stewart, E. D. Sullivan, Wardell, and White—11.

For James D. Phelan—Messrs. Boone, Burnett, Glenn, Hoey, O'Brien, and Sanford—6.

For John Rosenfeld—Mr. Crowley—1.

For J. F. Smith—Mr. Fairweather—1.

Whole number of votes cast by Assemblymen.....	78
W. H. L. Barnes received.....	12 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	21 votes.
U. S. Grant, Jr, received.....	21 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	11 votes.
James D. Phelan received.....	6 votes.
John Rosenfeld received.....	1 vote.
J. F. Smith received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	115
Necessary to a choice.....	58
W. H. L. Barnes received.....	18 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	28 votes.
U. S. Grant, Jr, received.....	29 votes.
Irving M. Scott received.....	4 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	19 votes.
James D. Phelan received.....	8 votes.
Van R. Paterson received.....	4 votes.
J. F. Smith received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Simpson, and Wolfe—6.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, and Trout—7

For Irving M. Scott—Senators Davis, Flint, and Rowell—8.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—9.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senators Langford and Taylor—2.

Whole number of votes cast by Senators.....	36
W. H. L. Barnes received	6 votes.
D. M. Burns received	6 votes.
U. S. Grant, Jr., received	7 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	9 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, and Miller of Los Angeles—12.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Blood, Cargill, Chynoweth, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Mulice, Radcliff, Raub, Raw, Robinson, and Works—20.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Barea and Muentner—2.

For J. F. Smith—Mr. Fairweather—1.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Stewart, E. D. Sullivan, Wardell, and White—11.

For James D. Phelan—Messrs. Boone, Burnett, Glenn, Hoey, O'Brien, and Sanford—6.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	77
W. H. L. Barnes received	12 votes
M. M. Estee received	1 vote.
D. M. Burns received	21 votes.
U. S. Grant, Jr., received	20 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
J. F. Smith received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	11 votes
James D. Phelan received	6 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	113
Necessary to a choice	56
W. H. L. Barnes received	18 votes.
M. M. Estee received	1 vote.
D. M. Burns received	27 votes.
U. S. Grant, Jr., received	27 votes.
Irving M. Scott received	4 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	20 votes.
James D. Phelan received	8 votes
Van R. Paterson received	4 votes.
J. F. Smith received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

Senator Taylor moved to reconsider the vote whereby substitute for resolution offered by Senator Stratton was adopted.

On the question, the ayes and noes were demanded by Senators Cutter, Bulla, and Taylor.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, with the following result:

AYES—Senators Bettman, Burnett, Dickinson, Feeney, Hoey, Laird, Langford, Morehouse, Shortridge, Simpson, Smith, Stratton, Taylor, and Wolfe—14.

NOES—Senators Ashe, Boyce, Brauhart, Bulla, Chapman, Currier, Curtin, Cutter, Davis, Doty, Dwyer, Flint, Gillette, Goad, Jones, La Rue, Leavitt, Luchsinger, Maggard, Nutt, Pace, Prisk, Rowell, Sims, and Trout—25

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Anderson, Arnerich, Barry, Beecher, Cobb, Cosper, Crowley, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, Lundquist, Marvin, McKeen, Merrill, Miller of Los Angeles, Miller of San Francisco, Muenter, Pierce, Rickard, Eugene Sullivan, and Wade—27.

NOES—Messrs. Atherton, Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Clough, Conrey, Cowan, Crowder, Dale, De Lancie, Dunlap, Feliz, Glenn, Griffin, Hanley, Huber, Knights, La Barea, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merritt, Meserve, Milice, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, E. D Sullivan, Wardell, White, and Works—47.

The President pro tem. of the Senate announced that the Joint Assembly had refused to reconsider, by the following vote: ayes, 41; noes, 72.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, and Morehouse—5.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Brauhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10.

For Van R. Paterson—Senators Langford and Taylor—2.

For James D. Phelan—Senators Goad and Hall—2.

Whole number of votes cast by Senators.....	39 votes.
W. H. L. Barnes received.....	5 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	8 votes.
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
Van R. Paterson received.....	2 votes.
James D. Phelan received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, and Valentine—13.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Richard, Eugene Sullivan, and Wright—20.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancia, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Bree and Muentner—2.

For J. F. Smith—Mr. Fairweather—1.

For Marion De Vries—Mr. Brooke—1.

For James D. Phelan—Messrs. Boone, Burnett, Glenn, Hoey, O'Brien, and Sanford—6.

For Stephen M. White—Messrs. Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Stewart, E. D. Sullivan, Wardell, and White—11.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	79
W. H. L. Barnes received	13 votes.
M. M. Estee received	1 vote.
D. M. Burns received	20 votes.
U. S. Grant, Jr. received	22 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
J. F. Smith received	1 vote.
Marion De Vries received	1 vote.
Stephen M. White received	11 votes.
James D. Phelan received	6 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	118
Necessary to a choice	60
W. H. L. Barnes received	13 votes.
M. M. Estee received	1 vote.
D. M. Burns received	23 votes.
U. S. Grant, Jr. received	30 votes.
Irving M. Scott received	4 votes.
Marion De Vries received	1 vote.
John Rosenfeld received	2 votes.
Stephen M. White received	21 votes.
James D. Phelan received	8 votes.
Van R. Paterson received	4 votes.
J. F. Smith received	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Prisk, and Sims—9.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senators Langford and Taylor—2.

Whole number of votes cast by Senators.....	39
W. H. L. Barnes received.....	6 votes.
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	8 votes.
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	9 votes.
James D. Phelan received.....	2 votes.
Van R. Paterson received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result :

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, and Valentine—13.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Muller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—21.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancey, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Milce, Radcliff, Raub, Raw, Robinson, and Works—21.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Barea and Muentner—2.

For Marion De Vries—Mr. Brooke—1.

For Stephen M. White—Messrs. Cowan, Feliz, Griffin, Hanley, Mack, Stewart, E. D. Sullivan, Wardell, and White—9.

For James D. Phelan—Messrs. Boone, Burnett, Fairweather, Glenn, Hoey, O'Brien, and Sanford—7.

For J. McMurray—Mr. Caminetti—1.

For John Rosenfeld—Mr. Crowley—1.

For A. D. Butler—Mr. Mead—1.

Whole number of votes cast by Assemblymen.....	79
W. H. L. Barnes received.....	13 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	21 votes.
U. S. Grant, Jr., received.....	21 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes.
Marion De Vries received.....	1 vote.
Stephen M. White received.....	9 votes.
James D. Phelan received.....	7 votes.
J. McMurray received.....	1 vote.
John Rosenfeld received.....	1 vote.
A. D. Butler received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows :

Whole number of votes cast.....	118
Necessary to a choice.....	60
W. H. L. Barnes received.....	19 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	29 votes.
U. S. Grant, Jr., received.....	29 votes.
Irving M. Scott received.....	4 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	18 votes.
James D. Phelan received.....	9 votes.
Van R. Paterson received.....	4 votes.
J. McMurray received.....	1 vote.
A. D. Butler received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being

called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Peeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Prisk, and Sims—9.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senators Langford and Taylor—2.

Whole number of votes cast by Senators	39
W. H. L. Barnes received	6 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	9 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, Miller of Los Angeles, and Valentine—13.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of San Francisco, Pierce, Rickard, and Eugene Sullivan—20.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milnce, Radcliff, Raub, Raw, Robinson, and Works—21.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Barea and Muentner—2.

For J. F. Smith—Mr. Fairweather—1.

For Marion De Vries—Mr. Brooke—1.

For James D. Phelan—Messrs. Boone, Burnett, Glenn, Hoey, O'Brien, and Sanford—6.

For Stephen M. White—Messrs. Caminetti, Cowan, Feliz, Griffin, Hanley, Mack, Mead, Stewart, E. D. Sullivan, Wardell, and White—11.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen	78
W. H. L. Barnes received	13 votes.
M. M. Estee received	1 vote.
D. M. Burns received	20 votes.
U. S. Grant, Jr., received	21 votes.
Irving M. Scott received	1 vote.
Van R. Paterson received	2 votes.
J. F. Smith received	1 vote.
Marion De Vries received	1 vote.
James D. Phelan received	6 votes.
Stephen M. White received	11 votes.
John Rosenfeld received	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	117
Necessary to a choice	59
W. H. L. Barnes received	19 votes.
M. M. Estee received	1 vote.
D. M. Burns received	28 votes.
U. S. Grant, Jr., received	29 votes.

Irving M. Scott received.....	4 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	20 votes.
James D. Phelan received.....	8 votes.
Van R. Paterson received.....	4 votes.
J. F. Smith received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Frisk, and Sims—10.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senators Langford and Taylor—2.

Whole number of votes cast by Senators	40
W. H. L. Barnes received.....	6 votes
D. M. Burns received.....	8 votes.
U. S. Grant, Jr., received.....	8 votes.
Irving M. Scott received.....	3 votes.
John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
James D. Phelan received.....	2 votes.
Van R. Paterson received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, and Valentine—12.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—22.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—21.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Bree and Muentner—2.

For J. F. Parks—Messrs. Boone, Burnett, Caminetti, Fairweather, Griffin, Mead, Sanford, and Wardell—8.

For James D. Phelan—Mr. Glenn—1.

For Stephen M. White—Messrs. Cowan, Feliz, Hanley, Mack, O'Brien, Stewart, E. D. Sullivan, and White—8.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	77
W. H. L. Barnes received.....	12 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	22 votes.
U. S. Grant, Jr., received.....	21 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes.

J. F. Parks received	8 votes.
James D. Phelan received	1 vote
Stephen M. White received	8 votes.
John Rosenfeld received	1 vote

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast	117
Necessary to a choice	59
W. H. L. Barnes received	18 votes
M. M. Estee received	1 vote
D. M. Burns received	30 votes.
U. S. Grant, Jr., received	29 votes.
Irving M. Scott received	4 votes.
John Rosenfeld received	2 votes.
Stephen M. White received	18 votes.
Van R. Paterson received	4 votes
James D. Phelan received	3 votes.
J. F. Parks received	8 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6.

For D. M. Burns—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For U. S. Grant, Jr.—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For Irving M. Scott—Senators Davis, Flint, and Rowell—3.

For John Rosenfeld—Senator Feeney—1.

For Stephen M. White—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Prisk, and Sims—9.

For James D. Phelan—Senators Goad and Hall—2.

For Van R. Paterson—Senators Langford and Taylor—2.

For R. Porter Ashe—Senator Pace—1

Whole number of votes cast by Senators	40
W. H. L. Barnes received	6 votes.
D. M. Burns received	8 votes.
U. S. Grant, Jr., received	8 votes.
Irving M. Scott received	3 votes.
John Rosenfeld received	1 vote.
Stephen M. White received	9 votes.
James D. Phelan received	2 votes.
Van R. Paterson received	2 votes.
R. Porter Ashe received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, and Valentine—12.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Eugene Sulhvan, and Wright—22.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, DeLancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For *Irving M. Scott*—Mr. Dunlap—1.
 For *Van R. Paterson*—Messrs. La Barce and Muentner—2.
 For *Marion De Vries*—Mr. Brooke—1.
 For *James D. Phelan*—Messrs. Boone, Burnett, Glenn, and Hoey—4.
 For *C. B. Gottschalk*—Mr. Caminetti—1.
 For *Stephen M. White*—Messrs. Cowan, Feliz, Hanley, Mack, Mead, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—11.
 For *John Rosenfeld*—Mr. Crowley—1.
 For *H. Kittridge*—Mr. Fairweather—1.
 For *J. R. Cottrell*—Mr. Griffin—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	12 votes
M. M. Estee received.....	1 vote.
D. M. Burns received.....	22 votes.
U. S. Grant, Jr., received.....	22 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes
Marion De Vries received.....	1 vote.
Stephen M. White received.....	11 votes
James D. Phelan received.....	4 votes.
C. B. Gottschalk received.....	1 vote
John Rosenfeld received.....	1 vote.
H. Kittridge received.....	1 vote.
J. R. Cottrell received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	120
Necessary to a choice.....	61
W. H. L. Barnes received.....	18 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	30 votes.
U. S. Grant, Jr., received.....	30 votes
Irving M. Scott received.....	4 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	20 votes.
James D. Phelan received.....	6 votes.
Van R. Paterson received.....	4 votes.
R. Porter Ashe received.....	1 vote.
C. B. Gottschalk received.....	1 vote.
H. Kittridge received.....	1 vote.
J. R. Cottrell received.....	1 vote.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For *W. H. L. Barnes*—Senators Bulla, Dickinson, Gillette, Luchsinger, Morehouse, and Stratton—6.

For *D. M. Burns*—Senators Bettman, Burnett, Hoey, Laird, Leavitt, Shortridge, Simpson, and Wolfe—8.

For *U. S. Grant, Jr*—Senators Boyce, Currier, Cutter, Jones, Maggard, Nutt, Smith, and Trout—8.

For *Irving M. Scott*—Senators Davis, Flint, and Rowell—3.

For *John Rosenfeld*—Senator Feeney—1.

For *Stephen M. White*—Senators Ashe, Braunhart, Chapman, Curtin, Doty, Dwyer, La Rue, Pace, Prisk, and Sims—10

For *Van R. Paterson*—Senators Langford and Taylor—2.

For *James D. Phelan*—Senators Goad and Hall—2.

Whole number of votes cast by Senators.....	40
W. H. L. Barnes received.....	6 votes.
D. M. Burns received.....	8 votes
U. S. Grant, Jr., received.....	8 votes
Irving M. Scott received.....	3 votes.

John Rosenfeld received.....	1 vote.
Stephen M. White received.....	10 votes.
Van R Paterson received.....	2 votes.
James D. Phelan received.....	2 votes.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen, each of whom, upon his name being called, would announce his choice for Senator in Congress to succeed the Hon. Stephen M. White.

The roll was called, with the following result:

For W. H. L. Barnes—Messrs. Anderson, Atherton, Belshaw, Boynton, Brown, Clough, Conrey, Knights, Knowland, Lardner, Melick, and Valentine—12.

For M. M. Estee—Mr. Wade—1.

For D. M. Burns—Messrs. Arnerich, Barry, Beecher, Cobb, Cosper, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Lundquist, Marvin, McKeen, Miller of Los Angeles, Miller of San Francisco, Pierce, Rickard, Eugene Sullivan, and Wright—22.

For U. S. Grant, Jr.—Messrs. Bliss, Blood, Cargill, Chynoweth, Clark, Crowder, Dale, De Lancie, Greenwell, Huber, Le Baron, McDonald of Alameda, McDonald of Tuolumne, Merrill, Merritt, Meserve, Milice, Radcliff, Raub, Raw, Robinson, and Works—22.

For Irving M. Scott—Mr. Dunlap—1.

For Van R. Paterson—Messrs. La Barea and Muentner—2.

For Marion De Vries—Mr. Brooke—1.

For James D. Phelan—Messrs. Boone, Burnett, Glenn, and Hoey—4.

For Stephen M. White—Messrs. Caminetti, Cowan, Fairweather, Feliz, Griffin, Hanley, Mack, Mead, O'Brien, Sanford, Stewart, E. D. Sullivan, Wardell, and White—14.

For John Rosenfeld—Mr. Crowley—1.

Whole number of votes cast by Assemblymen.....	80
W. H. L. Barnes received.....	12 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	22 votes.
U. S. Grant, Jr., received.....	22 votes.
Irving M. Scott received.....	1 vote.
Van R. Paterson received.....	2 votes.
Marion De Vries received.....	1 vote.
James D. Phelan received.....	4 votes.
Stephen M. White received.....	14 votes.
John Rosenfeld received.....	1 vote.

The Speaker of the Assembly, upon the conclusion of the roll call, announced the vote as follows:

Whole number of votes cast.....	120
Necessary to a choice.....	61
W. H. L. Barnes received.....	18 votes.
M. M. Estee received.....	1 vote.
D. M. Burns received.....	30 votes.
U. S. Grant, Jr., received.....	30 votes.
Irving M. Scott received.....	4 votes.
Marion De Vries received.....	1 vote.
John Rosenfeld received.....	2 votes.
Stephen M. White received.....	24 votes.
James D. Phelan received.....	6 votes.
Van R. Paterson received.....	4 votes.

And thereupon declared that the Joint Assembly had failed to elect a Senator in Congress.

MOTION TO RECONSIDER.

Senator Taylor moved to reconsider the vote whereby the substitute resolution offered by Senator Cutter was this day adopted.

POINT OF ORDER.

Assemblyman Dibble raised the point of order that this Joint Assembly has not the power to adjourn *sine die*.

The President declared the point of order well taken.

Senator Davis raised the point of order that under the substitute resolution the Joint Assembly stood adjourned.

The President declared the point of order not well taken.

The ayes and noes were demanded by Assemblyman Dibble and Senators Taylor and Stratton.

The President pro tem. directed the Secretary of the Senate to call the roll of Senators on the question.

The roll was called, with the following result:

AYES—Senators Bettman, Bulla, Burnett, Dickinson, Feeney, Hoey, Laird, Leavitt, Luchsinger, Morehouse, Shortridge, Simpson, Stratton, Taylor, and Wolfe—15.

NOES—Senators Ashe, Boyce, Brauhart, Chapman, Curtin, Cutter, Davis, Doty, Dwyer, Flint, Gillette, Hall, Jones, Langford, La Rue, Maggard, Nutt, Pace, Prisk, Rowell, Sims Smith, and Trout—23.

The Speaker of the Assembly directed the Chief Clerk to call the roll of Assemblymen.

The roll was called, with the following result:

AYES—Messrs. Arnerich, Atherton, Barry, Beecher, Cargill, Clark, Clough, Cobb, Conrey, Cosper, Crowley, Dale, Devoto, Dibble, Henry, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Bree, Lardner, Lundquist, Marvin, McKeen, Melick, Merrill, Miller of Los Angeles, Miller of San Francisco, Muentert, Pierce, Rickard, Eugene Sullivan, Valentine, Wade, Wright, and Mr. Speaker—39.

NOES—Messrs. Belshaw, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Chynoweth, Cowan, Crowder, De Lancey, Dunlap, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hoey, Huber, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, Mead, Merritt, Meserve, Milce, O'Brien, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, Wardell, White, and Works—40.

Whereupon the President pro tem. of the Senate declared the motion to reconsider lost by the following vote: ayes, 54 ; noes, 63.

APPROVAL OF MINUTES.

This day's minutes of the Joint Assembly were read and approved.

ADJOURNMENT.

At six o'clock and two minutes P. M., the President pro tem. declared the Joint Assembly adjourned.

IN ASSEMBLY.

The Speaker in the chair.

RECESS.

At six o'clock and three minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

The Assembly reconvened at eight o'clock P. M.
Speaker Anderson in the chair.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 618, 756, 574, 424, 582, and 334.

Assembly Bill No. 618—An Act making an appropriation to pay the claim of Office Specialty Manufacturing Company, for metallic furniture furnished the Clerk of the Supreme Court, at Sacramento.

Assembly Bill No. 756—An Act making an appropriation to pay the claim of Louise Rienzi for service rendered the State Board of Silk Culture as instructress and silk expert

Assembly Bill No. 374—An Act to pay the claim of Talbot H. Wallis.

Assembly Bill No. 424—An Act to provide for the construction of a building for library purposes and additional classrooms at the State Normal School in San José, and to provide for furnishing equipment, heating, and ventilation apparatus therefor, and making appropriation for the same.

Assembly Bill No. 582 (Substitute for Assembly Bill No. 170)—An Act to amend Section 2655 of the Political Code, relating to highway taxes, to be expended in districts.

Assembly Bill No. 334—An Act authorizing the Treasurer to transfer to the San Francisco Harbor Improvement Fund money now in the San Francisco Depot Sinking Fund. And were presented to the Governor March 18, 1899, at eleven o'clock and fifty minutes A. M.

RICKARD, Chairman.

CORRECTION OF JOURNALS.

Mr. Cobb moved to reconsider the vote whereby the Journal of Wednesday, January 18, 1899, was approved.

So ordered.

Mr. Cobb moved to correct Journal so that it will show that Assembly Concurrent Resolution No. 6 was read just previous to the question being put on its adoption or passage on said date, such being the fact as evidenced by the other records of the Assembly.

So ordered.

Mr. Cobb moved to approve the Journal of January 18, 1899.

So ordered.

Mr. Cobb moved to reconsider the vote by which the Journal of February 14, 1899, was approved.

So ordered.

Mr. Cobb moved to correct Journal so as to show that Assembly Concurrent Resolution No. 13 was read before final passage.

So ordered.

Mr. Cobb moved to approve Journal of February 14, 1899.

So ordered.

Mr. Cobb moved to correct the approval of the charter as follows:

"The Assembly passed Assembly Concurrent Resolution No. 13, approving the charter, by the following vote."

So ordered.

Mr. Cobb moved to reconsider the vote whereby the Journal of January 20, 1899, was approved.

So ordered.

Mr. Cobb moved to correct the Journal of January 20, 1899, on page 52, to show that Senate Concurrent Resolution No. 3 was read, that being the fact, as evidenced by other records of the Assembly; also, on same page, correct the title to read Senate Concurrent Resolution No. 3 instead of Senate Joint Resolution No. 3.

Motion carried, and so ordered.

Mr. Cobb moved to approve the Journal of January 20, 1899.

So ordered.

The Journals of January 27, 28, and 30, 1899, were approved.

MOTION.

Mr. Dibble moved to recall from the Senate Senate Constitutional Amendment No. 15, for correction.

So ordered.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Mr. Dibble:

ASSEMBLY CONCURRENT RESOLUTION No. 25.

Relative to adjournment.

Resolved by the Assembly, the Senate concurring, That the time for adjournment *sine die* of this Legislature be extended until Sunday, March 19, 1899, at eleven o'clock A. M.

Resolution read.

The question being on the adoption of Assembly Concurrent Resolution No. 25.

The ayes and noes were demanded by Messrs. Works, Wardell, and Hanley.

The roll was called, and Assembly Concurrent Resolution No. 25 adopted by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Brooke, Caminetti, Cargill, Clough, Cobb, Cosper, Dale, Devoto, Dibble, Dunlap, Griffin, Henry, Huber, Kelsey, Knights, Le Baron, Lundquist, Marvin, McKeen, Mead, Melick, Merritt, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Stewart, Eugene Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—41.

NOES—Messrs. Boone, Brown, Burnett, Conrey, Cowan, Crowder, Glenn, Hanley, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, Milice, Radcliff, Raub, Raw, Robinson, Sanford, E. D. Sullivan, and Wardell—20.

Mr. Dibble moved that Assembly Concurrent Resolution No. 25 be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 154, 520, 523, 568, 569, 869, 909, 759, 540, 296, 700, 930, 456, 461, and 336—have had the same under consideration, and respectfully report the same back without recommendation.

DE LANCIE, Chairman.

The above bills ordered on second-reading file.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 819—An Act for the enforcement of the fair and reasonable valuation of one hundred dollars' worth of labor or improvements annually upon all unpatented mining claims—have had the same under consideration, and respectfully report the same back without recommendation.

ROBINSON, Chairman.

Assembly Bill No. 819 ordered on second-reading file.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 225—An Act transferring from the Estates of Deceased Persons Fund to the State School Land Fund the sum of \$100,000, and directing the State Board of Examiners to invest the same in interest-bearing bonds, to be held in trust for the benefit of the State School Fund.

Also: Senate Bill No. 223—An Act authorizing and directing the transfer of \$40,000 from the Railway Tax Contingent Fund to the State School Fund, in compliance with the provisions of Section 3668 of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 208—An Act to provide additional accommodations for inmates at the California Home for the Care and Training of Feeble-Minded Children by the erection of cottages for epileptic, paralytic, and feeble-minded persons, to appropriate money therefor, and to authorize the expenditure of the same.

Also: Senate Bill No. 302—An Act to create a special fund to be known as the "State Débris Construction Fund," and to transfer from the General Fund to such State Débris Construction Fund the sum of \$250,000.

Also: Assembly Bill No. 884—An Act to provide a suitable medal for the members of the California Volunteers who entered the "Spanish-American War of 1898," upon their reënlisting in the National Guard of the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn.

Also: Senate Bill No. 224—An Act transferring the sum of \$80,000 from the General Fund to the Estates of Deceased Persons Fund—have had the same under consideration, and respectfully report the same back without recommendation.

VALENTINE, Chairman.

Senate Bills Nos. 225, 223, 208, 302, and 224, and Assembly Bill No. 884 ordered on second-reading file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit this, their final report for the thirty-third session of the Legislature.

Three hundred and sixty-two bills, carrying appropriations to the amount of \$5,750,-587 17 have been referred to and considered by this committee, of these, appropriations amounting to \$2,273,399 99 were reported favorably, \$575,332 adversely, \$408,845 referred to other committees, \$873,686 97 reported back with the recommendation that they be withdrawn, and reductions by amendment were made from the original sums asked for in those bills reported favorably, to the amount of \$526,093 87. This, briefly stated, shows the labor performed by the committee and the result of their work, only so far as it relates to special appropriations.

In addition to the labor and care required for the proper consideration of the foregoing bills, with their heavy appropriations, there devolves upon this committee the responsible and arduous duty of preparing the General Appropriation Bill, which provides for the support and maintenance of the various branches of the State government—State officers, institutions, boards, and commissions. The committee were greatly handicapped in obtaining the necessary data upon which to base their estimates, particularly for the various State institutions, such as hospitals, asylums, prisons, and reformatory schools, by reason of the reports of those institutions not being printed during the last year, and were forced to obtain the required information by extensive correspondence, and also from the various committees of the Assembly, appointed to visit said institutions. The utmost care has been taken in the preparation of the bill, to the end that no department of the State, whether great or small, should be hampered by insufficient appropriation. At the same time, equal care was observed that no unnecessary appropriation of money should be made; and the fact that the bill, as introduced, has passed both branches of the Legislature with very little change in the original figures, and that, as finally passed, it promptly received the approval of the Governor, and became a law without the veto of a single item, indicates the care and accuracy of the work expended upon the bill. In this connection it might not be amiss to say that this bill compares most favorably with those of the last two sessions of the Legislature. The General Appropriation Bill of 1895, when it reached the Governor for Executive action, carried appropriations to the amount of \$5,707,049 06. The same bill of 1897 reached the Governor's hands with appropriations amounting to \$5,343,178 16. The bill prepared and introduced by your committee, as it reached the Governor's hands and was approved by him, carries appropriations to the amount of \$5,056,944, being \$650,096 06 less than the amount appropriated in 1895, and \$286,234 06 less than the appropriation for 1897. In view of the fact that four years have passed in the first instance, and two years in the second, and that new institutions have since been created, and other demands arisen calling for appropriations to the amount of at least \$125,000 that were not then required, your committee feel a just pride in presenting the above comparison, and that our labors have been fruitful of results that will make a great saving to the already heavily burdened taxpayers.

The Tax Levy Bill, which is necessarily the companion of the General Appropriation Bill, has been prepared and introduced by your committee, passed the Assembly, and is now awaiting the action of the Senate. The office of this bill is to authorize the State Board of Equalization to raise, by proper tax levy, the amount of money required for the support and maintenance of the State government, its various institutions, boards, and commissions, also, for the School Fund, the Interest and Sinking Fund, and the fund for the support of orphans, half-orphans, and abandoned children. The total amount required for the first of the above purposes, as hereinbefore stated, is \$5,056,944; that required for the School Fund, \$4,866,680 (being an increase of \$475,762 over four years ago), for the orphans, half-orphans, and abandoned children, \$800,000 (being an increase of \$150,000 over four years ago), Interest and Sinking Fund, \$282,870, making a grand total to be raised under this bill for State purposes, of \$12,001,494. The increase of the School Fund and of the fund for orphans, half-orphans, and abandoned children, is based upon the increase in the school census, and in the number of unfortunate orphans, half-orphans, and abandoned children dependent upon the State for support,

and these figures cannot be reduced or changed from the estimates furnished your committee by the State Controller; but notwithstanding the enormous increase in these two items, the Tax Levy Bill, as presented by your committee to cover the State expenditures for the fifty-first and fifty-second fiscal years, shows a decrease of \$76,770 from the amount raised by the Tax Levy Bill covering the two corresponding years of the last administration.

Respectfully submitted.

VALENTINE, Chairman.

Ordered printed in the Journal.

SPECIAL ORDER.

Senate Substitute for Assembly Bill No. 728—An Act appropriating money to pay the expenses of assisting in the maintenance of an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

Read third time.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendments:

SENATE SUBSTITUTE FOR ASSEMBLY BILL NO. 728.

An Act appropriating money to pay the expenses of assisting in the maintenance of an exposition to be held in the City and County of San Francisco, in 1901, to be known as the Pacific Ocean and International Exposition, and to provide commissioners therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. It is made the duty of the Governor of the State of California, within thirty days after the passage of this Act, to appoint fifteen commissioners, who shall constitute the "California Pacific Ocean and International Exposition" Commission, which commissioners shall be taken, as near as may be, from the two leading political parties of the State of California. Said "California Pacific Ocean and International Exposition" Commission shall have exclusive charge and control of the expenditure of all moneys appropriated by the State of California for the construction of buildings, and to otherwise assist in maintaining an exposition to be held in the City and County of San Francisco, in nineteen hundred and one, to be known as the "Pacific Ocean and International Exposition," which said exposition is now in charge of, and under the control of a committee consisting of the State officers, the officers of the City and County of San Francisco, and other persons duly appointed, of which said committee J. B. Reinstein is now chairman, and R. P. Doolan is now secretary. Each of said commissioners shall file and execute with the Secretary of State, within thirty days after his appointment by the Governor, a good and sufficient bond, in the sum of twenty thousand dollars, made to the people of the State of California, which bond must be approved by the Governor. Said bond shall be conditioned for the faithful performance by said commissioner of all the duties enjoined upon him by this Act.

SEC. 2. Said commissioners shall receive no compensation for their services.

SEC. 3. The sum of two hundred and fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to meet the expenses of erecting buildings and to otherwise assist in maintaining an exposition to be held in the City and County of San Francisco, in nineteen hundred and one, to be known as the "Pacific Ocean and International Exposition." The Controller is hereby directed to draw his warrant on the General Fund from time to time, for such proportion of said sum of two hundred and fifty thousand dollars, and in favor of such persons as the majority of said commissioners hereinabove referred to shall direct, and the Board of Examiners shall audit, and the State Treasurer is hereby empowered and directed to pay the same until the entire sum hereby appropriated is exhausted; provided, that no money shall be paid out hereunder for any purpose prior to January first, nineteen hundred, and not more than one half thereof during the year nineteen hundred.

SEC. 4. This Act shall take effect immediately.

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYE—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Brown, Burnett, Caminetti, Cargill, Clark, Clough, Cobb, Crowley, Devoto, Dibble, Fairweather, Glenn, Griffin, Hanley, Henry, Hoey, Huber, Kelley, Kelsey, Kenneally, Knowland, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raw, Rickard, Stewart, Eugene Sullivan, E. D. Sullivan, Wardell, White, and Work—46.

NOES—Messrs. Boone, Cosper, Dale, Dunlap, Feliz, Melick, Milice, Robinson, and Sanford—9.

Senate Substitute for Assembly Bill No. 728 ordered to reëngrossment and enrollment.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 668, 603, 594, 730, 938, and 950:

Assembly Bill No. 668 (Substitute for Assembly Bill No. 11)—An Act to provide for the construction of a public highway or wagon road from Sacramento City to the State Prison at Folsom in the County of Sacramento, and making an appropriation for the purchase of crushed rock for macadamizing and granite or stone blocks for drains, culverts, and bridges for the same.

Assembly Bill No. 603 (Substitute for Assembly Bills Nos. 48, 129, and 201)—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California.

Assembly Bill No. 594—An Act to appropriate the sum of \$25,000 to pay the claim of Claus Spreckels, for money due and owing to said Claus Spreckels from the State of California.

Assembly Bill No. 730 (Substitute for Assembly Bill No. 598)—An Act to appropriate the sum of \$1,300 to pay the claim of William Henry Murray, for money due and owing to said William Henry Murray from the State of California.

Assembly Bill No. 938—An Act authorizing the Governor to order the transfer to the General Fund of any money that may be in other funds of the State Treasury, and the return thereof of such funds.

Assembly Bill No. 950—An Act to provide for certain improvements and repairs at the State Normal School at San José, and making an appropriation therefor.

And were presented to the Governor March 18, 1899, at five o'clock and twenty-five minutes P. M.

RICKARD, Chairman.

MOTION.

Mr. Valentine moved that the Assembly do now take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully asks the return of Assembly Bill No. 424, immediately, for correction.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. Kelsey moved that Assembly Bill No. 424 be returned to Senate for correction, as per request of that body.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

Also: Assembly Bill No. 877—An Act to provide for the construction of a free wagon road from Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Also: Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, in Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake to Lake Tahoe, a State highway.

Assembly Bills Nos. 423, 877, and 726 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1890.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received and adopted the report of the second committee of free conference on Senate Bill No. 337—An Act to amend Section 591 of the Penal Code of the State of California—whereby the Senate concurred in Assembly Amendment No. 2, and finally passed said bill.

Also: On March 17, 1890, passed Assembly Bill No. 1015—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Also: Passed, as a case of urgency, Senate Bill No. 751—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

F. J. BRANDON, Secretary of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 1015 ordered to enrollment.

Senate Bill No. 751—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read first time and ordered to second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1890.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 92 ordered to enrollment.

RESOLUTION—(CASE OF URGENCY).

By Mr. Stewart:

Resolved, That Senate Bills Nos. 735 and 751 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that each of said bills be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clough, Cobb, Conrey, Cospers, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Kennecally, Knights, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—55.

NOES—None.

CASES OF URGENCY.

Senate Bill No. 735—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Sections 191, 197, 198, and 207 thereof.

Read second time.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Brown, Burnett, Cospers, Dale, De Lancia, Devoto, Dibble, Dunlap, Glenn, Griffin, Hanley, Henry, Hoey, Johnson, Knights, Le Baron, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, O'Brien, Pierce, Raw, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 751—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read second time.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Brown, Burnett, Clark, Cobb, Conrey, Cosper, Cowan, Devoto, Dibble, Dunlap, Fairweather, Felix, Glenn, Hanley, Huber, Johnson, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Meserve, Milice, O'Brien, Pierce, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Wade, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

QUESTION OF PRIVILEGE.

Mr. Mead spoke to a question of personal privilege, relative to an article in the San Francisco Examiner.

CONSIDERATION OF SENATE AMENDMENTS.

Mr. Dibble moved to call up Assembly Bill No. 733, for concurrence in Senate amendment.

So ordered.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edison.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendment:

Amend the enacting clause by striking out the word "the" before the word "Senate."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Cobb, Conrey, Cosper, Cowan, Dale, Devoto, Dibble, Dunlap, Fairweather, Glenn, Hanley, Henry, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, O'Brien, Pierce, Rickard, Stewart, Valentine, Wade, Works, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 733 ordered to reëngrossment and enrollment.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 581, 54, 292, 455, 729, 741, and 309:

Assembly Bill No. 581—An Act to provide for payment of costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Assembly Bill No. 54—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No. 292—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Assembly Bill No. 455—An Act to repay and reimburse John C. Pelton for money expended and for services rendered in establishing the first free public school in the State of California.

Assembly Bill No. 729—An Act authorizing the appropriation of moneys by the several counties, and cities and counties, and the municipal corporations for the purpose of advancing and maintaining their respective interests, by exhibit of products and otherwise, at the Pacific Ocean and International Exposition.

Assembly Bill No. 741—An Act to create the office of State Game Warden, to provide

for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor, and to prescribe the punishment for a violation of the game laws of this State.

Assembly Bill No. 369—An Act authorizing the Board of Trustees of the State Library of the State of California to furnish offices in the State Capitol with modern metallic bookcases, platforms, stairways, and such other furniture as may be necessary for the proper transaction of the business of the State Library, and making an appropriation therefor.

And were presented to the Governor March 18, 1899, at nine o'clock and five minutes P. M.

RICKARD, Chairman.

MOTION.

Mr. Johnson moved to take up Senate Bill No. 700.

So ordered.

Senate Bill No. 700—An Act to appropriate \$1,125 to pay the unpaid salary of the late Dennis Spencer as Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco from July 15, 1895, until and including November 30, 1895.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Boynton, Brooke, Burnett, Caminetti, Clough, Cobb, Conrey, Cowan, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Henry, Huber, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Merritt, Milice, Miller of Los Angeles, O'Brien, Pierce, Raub, Sanford, Eugene Sullivan, Valentine, Wade, Works, and Mr. Speaker—43.

NOES—None

Title read and approved.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your committee of free conference concerning Assembly Bill No. 365—An Act to amend Section 628 of the Penal Code—report that we have met a like committee of the Senate, consisting of Senators Luchsinger, Dickinson, and Prisk, and we report that the free conference committee agreed upon and recommend that the Senate recede from its amendments.

BOYNTON,

Chairman of Committee of Free Conference of the Assembly.

Report adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899

MR. SPEAKER: Your Committee on Judiciary having had under consideration the following Assembly Bills, Assembly Constitutional Amendments, Assembly Concurrent Resolutions, and Senate Bills:

Assembly Bill No. 41—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 3748, 3758, and 3759 of said Political Code, and by repealing Section 3762 of said Code, all relating to revenue and taxation.

Also: Assembly Bill No. 46—An Act to add a new section to the Political Code of the State of California, to be known as Section 685, relating to the investment of State funds.

Also: Assembly Bill No. 55—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Also: Assembly Bill No. 89—An Act to add a new section to the Penal Code, said section to be designated as Section 357½, relating to the marking and branding and the alteration or defacement of marks and brands on domestic animals.

Also: Assembly Bill No. 101—An Act for the punishment of State, county, and city and county officers for withholding, hindering, or delaying, or aiding in the withholding, hindering, or delaying, the payment of money derived from taxes or fees collected for State purposes.

Also: Assembly Bill No. 107—An Act to prohibit the exercise, by any person other than a duly licensed physician or surgeon, of mesmeric or hypnotic influence upon any person or persons, and fixing a penalty for any violation of the provisions of this Act.

Also: Assembly Bill No. 110—An Act to provide for the inheriting of community property by married women, upon the death of the husband intestate.

Also: Assembly Bill No. 115—An Act providing for the publication of legal or official advertising.

Also: Assembly Bill No. 122—An Act to repeal an Act entitled "An Act authorizing the allowance, settlement, and payment of claims of counties against the State," approved March 9, 1893.

Also: Assembly Bill No. 134—An Act to amend Sections 541, 542, 543, and 544 of the Code of Civil Procedure of the State of California, relating to attachment.

Also: Assembly Bill No. 135—An Act to amend Section 3432 of the Civil Code of the State of California, relative to "special relations of debtors and creditors."

Also: Assembly Bill No. 164—An Act to provide for the appointment of State detectives, to establish their duties, and to provide for the payment of their salaries.

Also: Assembly Bill No. 187—An Act to amend Sections 2, 3, 4, 5, 8, 9, and 12, and to repeal Section 11, of an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Also: Assembly Bill No. 189—An Act to amend the Code of Civil Procedure by adding thereto four new sections, to be known as Sections 500, 561, 562, and 563, concerning attachments.

Also: Assembly Bill No. 205—An Act to amend Sections 2 and 6 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner," approved March 24, 1893, and to add a new section thereto, to be known as Section 8.

Also: Assembly Bill No. 213—An Act to amend Section 1 of an Act entitled "An Act fixing jurisdiction and providing compensation for Justices of the Peace in cities and towns," approved March 9, 1893.

Also: Assembly Bill No. 214—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relative to Justices' Courts.

Also: Assembly Bill No. 215—An Act to amend Section 1617 of the Political Code of the State of California, relating to the powers and duties of the trustees of school districts and of boards of education.

Also: Assembly Bill No. 216—An Act amending Section 1042 of the Penal Code of the State of California, concerning the mode of trial in criminal cases.

Also: Assembly Bill No. 228—An Act entitled "An Act to amend the Political Code by adding a new section, prohibiting the imposing of a license upon any person soliciting orders for the sale of any articles manufactured or produced in this State, which, under the laws of the United States, cannot be legally imposed upon persons soliciting orders for the sale of like articles manufactured in any other States of the United States."

Also: Assembly Bill No. 231—An Act to amend Section 851 of the Code of Civil Procedure of the State of California, relating to pleadings in Justices' Courts.

Also: Assembly Bill No. 235—An Act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property, and providing how the same shall be attached.

Also: Assembly Bill No. 236—An Act to amend Section 844 of the Code of Civil Procedure, relating to the issuing of, and directing what shall be contained in the summons issued by Justices of the Peace.

Also: Assembly Bill No. 254—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said Chapter II of Title VI of Part III of said Code, and substitute the same in the place of said repealed chapter in said Code, relating to roads and highways," approved February 28, 1893, relating to roads and highways.

Also: Assembly Bill No. 258—An Act to prevent the defrauding of lively stable proprietors and managers, and providing for the punishment thereof.

Also: Assembly Bill No. 266—An Act to amend Section 726 of the Code of Civil Procedure, relating to the application of the proceeds of the sale of mortgaged premises.

Also: Assembly Bill No. 270—An Act authorizing and directing the transfer of \$40,000 from the Railway Tax Contingent Fund to the State School Fund, in compliance with the provisions of Section 3668 of the Political Code.

Also: Assembly Bill No. 271—An Act transferring the sum of \$80,000 from the General Fund to the Estates of Deceased Persons Fund.

Also: Assembly Bill No. 277—An Act to amend Section 636 of the Penal Code of the State of California.

Also: Assembly Bill No. 278—An Act to amend Section 61 of the Civil Code, relative to marriage and divorce.

Also: Assembly Bill No. 281—An Act to amend an Act entitled "An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893, and an Act amendatory thereof, approved March 9, 1897.

Also: Assembly Bill No. 318—An Act to amend an Act entitled "An Act to establish

a Political Code," approved March 12, 1872, relating to the sale of property for the payment of delinquent taxes.

Also: Assembly Bill No. 319—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Sections 1237 and 1243 thereof, and repealing Section 1257 thereof.

Also: Assembly Bill No. 321—An Act to amend Section 1383 of the Code of Civil Procedure of the State of California, relating to letters of administration.

Also: Assembly Bill No. 328—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 737 thereof, relating to salaries of Judges of the Superior Courts of the State of California.

Also: Assembly Bill No. 332—An Act to amend Section 1350 of the Code of Civil Procedure of the State of California, relating to executors.

Also: Assembly Bill No. 341—An Act to add two new sections to the Code of Civil Procedure, said sections to be designated as Sections 1745 and 1746 respectively, relating to the appointment of Public Administrators as guardians of the estates or the persons and estates of minors and insane persons.

Also: Assembly Bill No. 360—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 1296, in relation to jurisdiction of Superior Courts in probate over estates.

Also: Assembly Bill No. 379—An Act to provide for the assessment, levy and collection of an income tax.

Also: Assembly Bill No. 380—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also: Assembly Bill No. 387—An Act to amend Section 359 of the Code of Civil Procedure.

Also: Assembly Bill No. 388—An Act to amend Section 1036 of the Code of Civil Procedure.

Also: Assembly Bill No. 389—An Act to amend Section 2955 of the Civil Code of the State of California, relating to mortgages of personal property.

Also: Assembly Bill No. 397—An Act to amend an Act entitled "An Act to create and establish a commission for revising, systematizing, and reforming the laws of the State, and for the appointment of said commission, to be known as 'The Commission for the Revision and Reform of the Law,' and to prescribe their powers and duties and to authorize the appointment of a secretary and stenographer thereof, and to provide for the compensation and expenses of said commission, secretary and stenographer, and to appropriate money therefor."

Also: Assembly Bill No. 398—An Act to amend Section 688 of the Code of Civil Procedure of the State of California, relating to executions.

Also: Assembly Bill No. 402—An Act to amend Section 2652 of the Political Code, relating to the collection of road poll tax.

Also: Assembly Bill No. 406—An Act to amend Section 53 of the Code of Civil Procedure.

Also: Assembly Bill No. 408—An Act to provide three additional Judges of the Superior Court of the City and County of San Francisco.

Also: Assembly Bill No. 427—An Act to amend Section 142 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 453—An Act to amend Sections 1917, 1918, and 1920 of the Civil Code, relating to legal rates of interest.

Also: Assembly Bill No. 471—An Act to amend Section 3818 of the Political Code; said section relating to public lands, and revenue and taxation.

Also: Assembly Bill No. 483—An Act to amend Section 833 of an Act entitled "An Act to establish a Code of Civil Procedure."

Also: Assembly Bill No. 485—An Act to amend Section 1183 of the Code of Civil Procedure, concerning mechanics' liens.

Also: Assembly Bill No. 486—An Act to amend Section 1194 of the Code of Civil Procedure, concerning the rank and class of mechanics' liens.

Also: Assembly Bill No. 490—An Act to amend Section 851 of the Code of Civil Procedure of the State of California, relating to pleadings in Justices' Courts.

Also: Assembly Bill No. 495—An Act to amend Section 851 of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Also: Assembly Bill No. 497—An Act to amend Section 158 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 498—An Act to amend Section 8 of an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said court.

Also: Assembly Bill No. 508—An Act to amend Section 1618 of the Code of Civil Procedure of California, relating to the salaries of Public Administrators.

Also: Assembly Bill No. 510—An Act to regulate the purchase, sale, and transfer of stocks of goods, wares, and merchandise in bulk.

Also: Assembly Bill No. 521—An Act to amend Section 1413 of the Code of Civil Procedure of the State of California, relating to appointment of special administrators of the estates of deceased persons.

Also: Assembly Bill No. 534—An Act to amend the Penal Code by adding a new section thereto, to be numbered 310, relating to the sale and possession of opium prepared for smoking.

Also: Assembly Bill No. 539—An Act to reduce the number of Judges of the Superior Court of County of Fresno, from two to one.

Also: Assembly Bill No. 540—An Act to amend Sections 3321 and 3325 of the Political Code of the State of California, and to add two new sections thereto, to be known and numbered as Sections 3311 and 3330 of said Code, relating to revenue and taxation.

Also: Assembly Bill No. 543—An Act to amend Section 92 of the Civil Code of California, and to add a new section to the Civil Code, to be numbered and known as Section 108 of the Civil Code of the State of California.

Also: Assembly Bill No. 547—An Act to amend Section 869 of the Penal Code of the State of California, requiring the taking, authentication, and transcription of depositions, and the appointment of shorthand reporters, and fixing their compensation in criminal cases before magistrates.

Also: Assembly Bill No. 553—An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Also: Assembly Bill No. 560—An Act to amend Sections 3548, 3549, 3550, and 3551 of "An Act to establish a Political Code," approved March 12, 1872, relating to the proceedings against delinquent purchasers of State lands.

Also: Assembly Bill No. 563—An Act to amend Section 1192 of the Code of Civil Procedure, concerning the posting and filing of notices relating to mechanics' liens.

Also: Assembly Bill No. 586—An Act to add a new section to the Penal Code of California, to be numbered 330½, prohibiting pool-selling, bookmaking, recording, receiving, forwarding or registering bets or wagers except within racetrack inclosures, State and county fair grounds and upon races between horses or dogs or other animals, when said races are conducted or run within said inclosures on the days when said pools are sold or said bookmaking is carried on, or when said bets or wagers are recorded, received, forwarded or registered.

Also: Assembly Bill No. 587—An Act to add a new Article to Chapter III, Part III, Title I of the Political Code of the State of California, to be designated Article XX, relating to the compensation and traveling expenses of civil executive officers, employés and agents of the State.

Also: Assembly Bill No. 592—An Act to amend Section 1970 of the Civil Code of the State of California, relating to the obligations of employers.

Also: Assembly Bill No. 595—An Act to amend Section 3 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Also: Assembly Bill No. 612—An Act to amend Section 537 of the Code of Civil Procedure.

Also: Assembly Bill No. 615—An Act to protect all citizens in their civil and legal rights.

Also: Assembly Bill No. 621—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as Section 605, relating to the formation of religious corporations for holding and administering church property.

Also: Assembly Bill No. 623—An Act to amend Sections 330, 331, and 337 of the Penal Code.

Also: Assembly Bill No. 653—An Act prohibiting the burial of the dead within the corporate limits of incorporated cities or cities and counties of over one hundred and fifty thousand inhabitants, from and after the first day of January, A. D. 1902.

Also: Assembly Bill No. 655—An Act to amend Section 231 of the Code of Civil Procedure, relating to the regulation of the rights of persons to protective laws.

Also: Assembly Bill No. 674—An Act to amend Section 3805 of the Political Code, relating to the cancellation of certificates of sale, of land sold to the State for delinquent State and county taxes.

Also: Assembly Bill No. 678—An Act to amend Section 553 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Assembly Bill No. 683—An Act to repeal an Act entitled "An Act to provide for the election or appointment of a separate Judge of the Superior Court for each of the counties of Yuba and Sutter, and fixing and providing for the payment of the salaries of each of said judges," approved March 2, 1897.

Also: Assembly Bill No. 707—An Act to amend Section 206 of the Political Code.

Also: Assembly Bill No. 710—An Act to amend Section 94 of the Civil Code.

Also: Assembly Bill No. 720—An Act to amend Sections 1917, 1918, and 1930 of the Civil Code, relating to legal rates of interest.

Also: Assembly Bill No. 722—An Act to add to Article IV, Chapter I of Title VIII of Part III of the Political Code, a new section relating to the confirmation of patents for State lands prematurely issued, to be designated as Section 3521 of the Political Code.

Also: Assembly Bill No. 739—An Act to amend Section 857 of the Civil Code of the State of California, relating to the creation of express trusts.

Also: Assembly Bill No. 740—An Act to amend Section 1313 of the Civil Code, relating to charitable bequests and devises.

Also: Assembly Bill No. 743—An Act to amend Section 305 of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to corporations.

Also: Assembly Bill No. 771—An Act to add a new section to the Code of Civil Procedure, to be numbered 1871, relating to evidence of citizenship.

Also: Assembly Bill No. 772—An Act fixing the fee to be charged by any County Recorder in any county, and any City and County Recorder in any city and county in the State of California, for filing certificates of tax sales issued by the Tax Collector of any municipality within the State, when bound in book form.

Also: Assembly Bill No. 776—An Act to authorize counties, cities, or towns to pay the fees and compensations provided by law to be paid to any officer or person charged with the duty of performing such services, when the same have been performed, and compensation, by misconstruction or mistake of law, without such claimant's fault, has been denied him.

Also: Assembly Bill No. 781—An Act to amend Section 1111 of the Penal Code of California, relating to the testimony of accomplices.

Also: Assembly Bill No. 794—An Act to amend Section 225 of the Code of Civil Procedure of the State of California, relating to the summoning of grand and trial jurors for courts of record.

Also: Assembly Bill No. 808—An Act to amend Sections 1915, 1917, and 1920 of the Civil Code, relating to legal rate of interest.

Also: Assembly Bill No. 814—An Act to add a new section to the Penal Code of the State of California, said section to be designated as Section 653½, relating to the fees charged by employment agencies.

Also: Assembly Bill No. 823—An Act to amend Section 792 of the Political Code of the State of California, relating to restrictions as to residence of notaries public.

Also: Assembly Bill No. 834—An Act to amend Section 849 of the Penal Code of the State of California, relating to arrests.

Also: Assembly Bill No. 837—An Act to amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons.

Also: Assembly Bill No. 841—An Act authorizing the payment of compensation or commission to persons employed by the State Controller and Attorney-General, or by Boards of Supervisors of the different counties to collect delinquent State and county taxes, and legalizing all payments made for that purpose.

Also: Assembly Bill No. 842—An Act to amend Section 1183 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to liens of mechanics and others.

Also: Assembly Bill No. 854—An Act to add a new section to the Code of Civil Procedure, to be numbered Section 659½.

Also: Assembly Bill No. 855—An Act to amend Section 1884 of the Code of Civil Procedure.

Also: Assembly Bill No. 882—An Act to amend Section 634 of the Penal Code

Also: Assembly Bill No. 921—An Act to amend Section 562 of the Civil Code, relating to homestead corporations.

Also: Assembly Bill No. 926—An Act to repeal Chapter 473 of the Statutes of 1875 and 1876, entitled "An Act to prohibit the sale of intoxicating liquors within one mile of College City, Colusa County, State of California."

Also: Assembly Bill No. 932—An Act relating to the location of powder magazines in the State of California.

Also: Assembly Bill No. 936—An Act relating to the assessment of land, and the improvements thereon, for the purposes of taxation.

Also: Assembly Bill No. 944—An Act to amend Section 456 of the Civil Code of the State of California.

Also: Assembly Bill No. 964—An Act to provide for the redemption of lands sold for delinquent assessments for public work in municipalities, and to define the rights and duties of purchaser and delinquent property owners in such cases.

Also: Assembly Bill No. 965—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered 3785½, relating to redemption of lands sold previous to the 28th day of March, 1895, for delinquent taxes, to purchasers other than the State of California and municipalities.

Also: Assembly Bill No. 966—An Act to amend Section 502 of the Penal Code

Also: Assembly Bill No. 989—An Act to amend Section 3756 of the Political Code of the State of California, relating to delinquent taxes.

Also: Assembly Bill No. 990—An Act to amend Section 3746 of the Political Code of the State of California, relating to the publication of notice by Tax Collector, specifying the time when taxes will become due and payable, and when delinquent.

Also: Assembly Bill No. 991—An Act to repeal Section 3824 of the Political Code of California, relative to the repayment of excess collections of taxes on personal property unsecured by real estate.

Also: Assembly Bill No. 992—An Act to repeal Section 3825 of the Political Code of the State of California, relating to the collection of any deficiency arising in the collection of taxes on personal property unsecured by real estate.

Also: Assembly Bill No. 993—An Act to repeal Section 3828 of the Political Code of the State of California, relating to duties of Auditor to enter and note the amount of excess of deficiency in the collection of taxes on personal property unsecured by real estate.

Also: Assembly Bill No. 994—An Act to amend Section 1704 of the Code of Civil Procedure of the State of California.

Also: Assembly Constitutional Amendment No. 1—A resolution to propose an amendment to Article VI of the Constitution of the State of California, relating to the Judiciary Department.

Also: Assembly Constitutional Amendment No. 3—Relative to proposing an amendment to Section 6 of Article XI of the Constitution of California, relative to municipal corporations.

Also: Assembly Constitutional Amendment No. 8—Amending Section 12 of Article XIII, relating to levying and collecting of poll taxes.

Also: Assembly Constitutional Amendment No. 9—Amending Section 1 of Article XIII of the Constitution, relative to taxation.

Also: Assembly Constitutional Amendment No. 10—Relative to proposing to the State of California the repeal of Section 12 of Article XIII of the Constitution of the State of California, relative to the levy and collection of an annual poll tax.

Also: Assembly Constitutional Amendment No. 11—Relative to amending Section 7 of Article IX of the Constitution of the State of California, relating to compilation of school text-books, etc.

Also: Assembly Constitutional Amendment No. 12—Relative to amending Sections 2 and 3 of Article VI of the Constitution, relating to the Judicial Department.

Also: Assembly Constitutional Amendment No. 17—Relative to revenue and taxation.

Also: Assembly Concurrent Resolution No. 7—Relative to suits against the State Controller by counties for commissions.

Also: Senate Bill No. 367—An Act to amend Section 3617 of the Political Code of the State of California, relating to revenue, the assessment of property, and definition of terms in relation thereto.

Also: Senate Bill No. 183—An Act requiring the making and recording of maps of cities, towns, and additions to cities and towns, and subdivisions of lands into small lots, or tracts, for the purposes of sale, providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded, and providing for the recording of maps now on file in Recorder's office.

Also: Assembly Concurrent Resolution No. 14—Relative to providing appropriate exercises at the Assembly Chamber upon February 22, 1869, in memory of the birthday of George Washington, first President of the United States.

And reports all of the same back without recommendation.

JOHNSON, Chairman.

All of the foregoing bills and constitutional amendments ordered on file for second reading.

MOTIONS TO CONSIDER SENATE BILLS.

Mr. Henry moved to take up for consideration Senate Bill No. 349.

So ordered.

Senate Bill No. 349—An Act to amend Sections 1912, 1913, 1914, 1917, 1920, 1922, 1934, 1936, 1939, 1940, 1941, 1943, 1951, 1952, 1954, 1955, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1990, 1991, 1992, 1993, 2003, 2004, 2006, 2007, 2008, 2009, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2038, 2094; to repeal Sections 1902, 1918, 1923, 1927, 1929, 1937, 1938, 1969, 2003, as approved April 1, 1897, 2054, 2055, 2056, 2057, 2058, 2064, 2065, 2066, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2099, 2105, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, and to add new sections to be known and numbered as Sections 1959*a*, 1977, 1978, 1987, 1988, 1989, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2005, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2038*a*, 3033, 3034, and 1967*a*, all of and to the Political Code of the State of California, relating to the National Guard.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Barnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dibble, Dunlap, Fair-

weather, Feliz, Glenn, Hanley, Henry, Huber, Johnson, Kelsey, Knights, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raub, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, and Mr. Speaker—46.
Nays—Messrs. Knowland, Mack, and Muentner—3.

Title read and approved.

Mr. Le Baron moved that the Assembly do now consider Senate Bill No. 207.

So ordered.

Senate Bill No. 207—An Act to provide for the erection and equipment of a combined laundry, electric-lighting, steam-heating, and power plant at the California Home for the Care and Training of Feeble-Minded Children, to appropriate money therefor, and to authorize the expenditure of the same.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Burnett, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Crowley, Dale, Dibble, Fairweather, Feliz, Huber, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Merrill, Merritt, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raub, Sanford, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Mr. Knights moved to consider Senate Bill No. 434.

So ordered.

Senate Bill No. 434—An Act appropriating the sum of \$5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Bliss, Blood, Boynton, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Huber, Jilson, Johnson, Kelsey, Knights, Knowland, Le Baron, Lardner, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—46.
NOES—None.

Title read and approved.

RESOLUTION—(CASE OF URGENCY).

By Mr. Valentine:

Resolved, That Senate Bills Nos. 734, 748, 712, 622, 623, 624, 402, and 625 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that a bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that each of said bills be read the second and third times, and placed upon its passage.

The question being on the suspension of the constitutional provision.
The roll was called.

Pending roll call, Mr. Conrey moved a call of the House.

Seconded by Messrs. Johnson and Miller of Los Angeles.

So ordered.

Mr. Lardner was excused for the evening, on account of illness.

Mr. Valentine moved that further proceedings under call of the House be dispensed with.

So ordered.

The question now recurring on the suspension of the constitutional provision.

The roll was called, and Section 15 of Article IV of the Constitution suspended by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Belshaw, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cospier, Cowan, Crowly, Dale, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Henry, Johnson, Kelley, Kelsey, Knights, Knowland, La Bree, Le Baron, Larimer, Mack, Marvin, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Muentner, O'Brien, Pierce, Raub, Rickard, E. D. Sullivan, Valentine, Wade, White, and Mr. Speaker—57.

NOES—None.

CASES OF URGENCY—SECOND READING OF BILLS.

Senate Bill No. 734—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 748—An Act making an appropriation to repair the roof, gutters, and conductors on the State Capitol building.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 712—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 402—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 622—An Act making an appropriation to pay the contingent expenses of the Commissioners for the Revision and Reform of the Law for the forty-eighth, forty-ninth, and fiftieth fiscal years.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 623—An Act to appropriate the sum of \$81 18 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 624—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun, for money due and owing the said Scott Calhoun from the State of California.

Read second time, ordered considered engrossed and to third reading.

Senate Bill No. 625—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett for money due and owing the said M. G. Barrett from the State of California.

Read second time, ordered considered engrossed and to third reading.

MOTION.

Mr. Valentine moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 734, 748, 712, 622, 623, 624, 625, and 402.

Motion carried, and it was so ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bills Nos. 734, 748, 712, 622, 623, 624, 625, and 402 were considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 734—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Also: Senate Bill No. 748—An Act making an appropriation for repairing the roof, gutters, and conductors on the State Capitol building, and repairing interior of Capitol building, resulting and existing from defects in such roof, gutters, and conductors.

Also: Senate Bill No. 712—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Also: Senate Bill No. 402—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to return and repair his office, and making an appropriation therefor.

Also: Senate Bill No. 622—An Act making an appropriation to pay the contingent expenses of the Commissioners for the Revision and Reform of the Law, for the forty-eighth, forty-ninth, and fiftieth fiscal years.

Also: Senate Bill No. 623—An Act to appropriate the sum of \$81 18 to pay the claim of C. A. Williams for money due and owing to the said C. A. Williams from the State of California.

Also: Senate Bill No. 624—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun for money due and owing the said Scott Calhoun from the State of California.

Also: Senate Bill No. 625—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett for money due and owing the said M. G. Barrett from the State of California.

And do now report, and recommend that the same do pass.

ANDERSON, Chairman.

Report adopted.

CASES OF URGENCY—THIRD READING OF BILLS.

Senate Bill No. 734—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boynton, Burnett, Caminetti, Chynoweth, Clough, Cobb, Conrey, Cowan, Crowley, De Lancey, Devoto, Dibble, Fairweather, Feltz, Glenn, Griffin, Hanley, Henry, Johnson, Kelsey, Knights, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Robinson, Sanford, Stewart, Valentine, Wade, Wardell, and Mr. Speaker—43.

NOES—None.

Title read and approved.

At ten o'clock and forty-five minutes p. m., the Speaker called Mr. Wade to the chair.

Senate Bill No. 748—An Act making an appropriation to repair the roof, gutters, and conductors on the State Capitol building.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Bliss, Blood, Boynton, Brooke, Caminetti, Chynoweth, Clark, Clough, Conrey, Cosper, Crowder, Dale, De Lancia, Dubble, Fairweather, Feliz, Glenn, Griffin, Hanley, Johnson, Kelsey, Knights, Knowland, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, and Mr. Speaker—43.

NOES—None.

Title read and approved.

REPORTS OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 1014, 305, 629, 588, 449, 677, and 506:

Assembly Bill No. 1014—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring indebtedness, by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks'; and also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" by adding two new sections thereto, numbered 5½ and 7½ respectively, said new sections relating to the character, denomination, rate of interest, manner of issuance and sale of, and method of levy and collection of tax on municipality for payment of bonds issued in accordance with said Act.

Assembly Bill No. 305—An Act authorizing a party required to give a bond or undertaking to agree with his sureties for the deposit and withdrawal of any and all moneys or assets for which such sureties are or may be held responsible.

Assembly Bill No. 629—An Act to add a new section to the Penal Code, said section to be designated as Section 625½, relating to oil pipe-lines.

Assembly Bill No. 588—An Act to amend Section 412 of the Penal Code, relating to boxing and sparring matches, and prize or ring fights.

Assembly Bill No. 449—An Act concerning a Veteran Volunteer Fireman's Association of California, and to provide for its management and control, and to appropriate money for its support, and relating to enrollment, formation into fire companies, and service as firemen, of such veteran volunteer firemen.

Assembly Bill No. 677—An Act to regulate the business of commission merchants, agents, factors, or brokers, dealing in farm produce, poultry, grain, fruit, seeds, honey, or dairy produce.

Assembly Bill No. 506—An Act to amend Sections 5 and 6 of an Act entitled "An Act to establish a State Lunacy Commission, to provide a uniform government and management of State hospitals for the insane, and to provide for the care, custody and apprehension of persons believed to be insane, and the commitment of insane persons, and providing for the transfer of unexpended appropriations of moneys and properties," approved March 31, 1897.

And were presented to the Governor March 18, 1899, at ten o'clock and twenty-five minutes P. M.

RICKARD, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 637, 995, 846, 447, and 464:

Assembly Bill No. 637 (Substitute for Assembly Bill No. 120)—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 26, 1895, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State," as amended by an Act approved March 29, 1897, entitled "An Act to create and administer a Public School Teachers' Annuity and Retirement Fund in the several counties and cities and counties in the State."

Assembly Bill No. 995—An Act to create and regulate public warehouses.

Assembly Bill No. 846—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Assembly Bill No. 447—An Act to amend an Act entitled "An Act to regulate and control the sale, rental and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the place of use," approved March 12, 1885, by repealing

Section 11½ thereof, relating to contracts for the sale, rental, and distribution of water, and the sale or rental of easements and servitudes of the right to the flow and use of water, approved March 2, 1897.

Assembly Bill No. 464—An Act to amend Section 296 of the Civil Code of the State of California, relating to the filing of articles of incorporation with the County Clerk and Secretary of State, and the issuance of certificate and the effect of such certificate.

And were presented to the Governor March 18, 1899, at nine o'clock and thirty-five minutes P. M.

RICKARD, Chairman.

CASES OF URGENCY—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 712—An Act to appropriate the sum of \$1,150 50 to pay the claim of Bancroft, Whitney & Co., for money due and owing the said Bancroft, Whitney & Co. from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Conrey, Cospier, Cowan, Dibble, Fairweather, Feliz, Glenn, Greenwell, Hanley, Henry, Huber, Kelsey, Kenneally, Knights, Knowland, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Works, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 622—An Act making an appropriation to pay the contingent expenses of the Commissioners for the Revision and Reform of the Law, for the forty-eighth, forty-ninth, and fiftieth fiscal years.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Belshaw, Bliss, Blood, Boynton, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Conrey, Cospier, Cowan, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, McDonald of Alameda, McDonald of Tuolumne, Melick, Merrill, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Sanford, Stewart, Valentine, Wade, Wardell, White, and Works—44.

NOES—None.

Title read and approved.

Senate Bill No. 623—An Act to appropriate the sum of \$81 18 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hoey, Huber, Johnson, Kelsey, Knights, Knowland, McDonald of Alameda, McDonald of Tuolumne, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raw, Sanford, Stewart, and Wade—41.

NOES—Mr. Kenneally—1

Title read and approved.

Senate Bill No. 624—An Act to appropriate the sum of \$200 to pay the claim of Scott Calhoun, for money due and owing the said Scott Calhoun from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bliss, Blood, Boynton, Brown, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, De Lancie, Dibble, Dunlap, Feliz, Glenn, Griffin, Hanley, Hocy, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Mack, McDonald of Alameda, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Raw, Sanford, Stewart, Valentine, Wade, Wardell, and Works—43

NOES—None

Title read and approved.

Senate Bill No. 625—An Act to appropriate the sum of \$21 50 to pay the claim of M. G. Barrett for money due and owing the said M. G. Barrett from the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Belshaw, Bliss, Blood, Boynton, Burnett, Caminetti, Cobb, Conrey, Cosper, Cowan, Dibble, Dunlap, Fairweather, Feliz, Glenn, Griffin, Hanley, Hocy, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raw, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, and Wardell—43.

NOES—None

Title read and approved.

Senate Bill No. 402—An Act authorizing the Superintendent of Public Instruction to purchase necessary metallic filing and book cases, and to refurnish and repair his office, and making an appropriation therefor.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Aimerich, Beecher, Blood, Boynton, Brown, Burnett, Cobb, Conrey, Cosper, Cowan, Crowder, De Lancie, Devoto, Dibble, Fairweather, Feliz, Glenn, Greenwell, Griffin, Hanley, Hocy, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Lundquist, Mack, Marvin, Melick, Milice, Miller of San Francisco, O'Brien, Robinson, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, and Works—44.

NOES—None.

Title read and approved.

CORRECTION OF JOURNALS.

Mr. Dibble moved that the vote be reconsidered whereby the Journal of Wednesday, March 8, 1899, was approved, and that the Journal of said day be corrected so as to show that Senate Bills Nos. 599, 558, 560, and 559 were read first time just previous to being ordered on Senate special file.

Motion carried.

The Journal of Wednesday, March 8, 1899, was then approved as corrected.

Mr. Valentine moved that the vote whereby the Journal of February 17, 1899, was approved, be reconsidered.

So ordered.

Mr. Valentine moved to correct the Journal of February 17, 1899, on page 22, to show that Senate Bill No. 49 was read second time.

So ordered.

The Journal of February 17, 1899, was then approved as corrected.

MOTIONS TO CONSIDER SENATE BILLS.

Mr. Hanley moved to consider Senate Bill No. 271.

So ordered.

Senate Bill No. 271—An Act making an appropriation to pay the claim of Clement Bennett, for reporting in the case of Southern Pacific Company vs. The Board of Railroad Commissioners of the State of California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Bliss, Blood, Boynton, Caminetti, Clark, Clough, Cobb, Conrey, Cospier, Crowder, De Lancie, Dibble, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Johnson, Kenneally, Knights, Knowland, Mack, McKeen, Mead, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raw, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, and Works—42

NOES—Messrs. Brooke and Robinson—2

Title read and approved.

Mr. Caminetti moved to consider Senate Bill No. 284.

So ordered.

Senate Bill No. 284—An Act to appropriate money for the purchase of tools and books for the use of the Preston School of Industry.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bliss, Blood, Brooke, Caminetti, Clough, Cobb, Conrey, Cospier, Crowder, De Lancie, Dibble, Dunlap, Feliz, Glenn, Greenwell, Hanley, Hoey, Huber, Johnson, Kenneally, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merrill, Meserve, Milice, Miller of San Francisco, O'Brien, Pierce, Raw, Rickard, Sanford, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Mr. Cowan moved that Assembly Bill No. 423 be returned to the Senate.

So ordered.

Mr. Pierce moved to consider Senate Bill No. 325.

So ordered.

Senate Bill No. 325—An Act to provide for the erection of buildings and certain improvements for the University of California and its affiliated colleges.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Boynton, Brooke, Caminetti, Clough, Cobb, Cospier, Cowan, Crowley, De Lancie, Dibble, Dunlap, Feliz, Glenn, Hoey, Huber, Johnson, Kenneally, Knowland, La Barea, Le Baron, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Meserve, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raw, Rickard, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, and Wardell—43.

NOES—Mr. Conrey—1.

Title read and approved.

Mr. Bliss moved to consider Senate Bill No. 319.

So ordered.

Senate Bill No. 319—An Act authorizing the insurance of all property of the University of California, held for purposes of income, against damage or loss.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Brooke, Brown, Burnett, Caminetti, Cobb, Crowder, Crowley, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Glenn, Greenwell,

Hanley, Henry, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, Marvin, McDonald of Alameda, McKeen, Mead, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Rickard, Sanford, Stewart, E. D. Sullivan, Wade, Wardell, and Works—46.
NAYS—Mr. Conrey—1.

Title read and approved.

MOTION.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day recalled from the Governor Senate Constitutional Amendment No. 15 for correction by your honorable body, and respectfully ask that you will act immediately.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Mr. Dibble moved that Senate Constitutional Amendment No. 15 be now placed upon its passage.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to Section 18 of Article XI of the Constitution, in relation to revenue and taxation.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session commencing on the second day of January, eighteen hundred and ninety-nine, two thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes that section eighteen of article eleven of the Constitution of the State of California be amended to read as follows:

Section 18. No county, city, town, township, board of education, or school districts, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same, *provided, however*, that the City and County of San Francisco may at any time pay the unpaid claims, with interest thereon at the rate of five per cent per annum, for materials furnished to and work done for said city and county during the forty-first, forty-second, forty-third, forty-fourth, and fiftieth fiscal years, and for unpaid teachers' salaries for the fiftieth fiscal year, out of the income and revenue of any succeeding year or years, the amount to be paid in full of said claims not to exceed in the aggregate the sum of five hundred thousand dollars, and that no statute of limitations shall apply in any manner to these claims; *and provided further*, that the City of Vallejo, of Solano County, may pay its existing indebtedness incurred in the construction of its waterworks whenever two thirds of the electors thereof voting at an election held for that purpose shall so decide, and that no statute of limitations shall apply in any manner. Any indebtedness or liability incurred contrary to this provision, with the exceptions hereinbefore recited, shall be void.

Senate Constitutional Amendment No. 15 read.

The question being on the adoption of the constitutional amendment.

The roll was called, and the constitutional amendment adopted by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Blood, Brooke, Brown, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Crowley, De Lancey, Dibble, Dunlap, Fairweather, Glenn, Greenwell, Griffin, Hanley, Henry, Huber, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, La Barce, Le Baron, Lardner, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Mehek, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, O'Brien, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Wade, White, Works, Wright, and Mr. Speaker—58.
NAYS—None.

Senate Constitutional Amendment No. 15 ordered transmitted to the Senate.

MOTION.

Mr. McKeen moved to continue Senate Bill No. 414 (*in re* motion to reconsider) as a special order for to-morrow.

So ordered.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 25—Relative to final adjournment.

Also: Adopted the report of the committee of free conference on Assembly Bill No. 365—An Act to amend Section 623 of the Penal Code, relating to fish—whereby said committee recommended that the Senate recede from its amendments to said bill.

Also: Refused to adopt the report of the committee of free conference on Senate Bill No. 43—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the free public market established by the Act approved March 29, 1897—whereby it recommended that the Senate recede from its amendments to said bill.

Also: Amended, and passed as amended, Assembly Bill No. 139—An Act to authorize the transfer of \$25,000 from the General Fund to the State School Book Fund, and providing for its expenditure—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELS, Assistant Secretary

Mr. Johnson moved to consider Senate amendments to Assembly Bill No. 139.

So ordered.

Assembly Bill No. 139—An Act to authorize the transfer of \$40,000 from the General Fund to the State School Book Fund, and providing for its expenditure.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendments:

Amend by striking out of the title the word "forty" and inserting in lieu thereof the following: "twenty-five."

Also: Amend by striking out of Section 1, line 3, the word "forty" and inserting in lieu thereof the following: "twenty-five."

Also: Amend by striking out of Section 1, line 9, the word "eighteen" and inserting in lieu thereof the following: "ninth."

Also: Amend by striking out of Section 1, line 9, the word "seven" and inserting in lieu thereof the following: "three."

Also: Amend by striking out of Section 2, line 1, the figure "2" and inserting in lieu thereof the following: "3."

Also: Amend by adding a new section, to be known and numbered as Section 2: "The State Board of Education is hereby authorized to use such sum as may be necessary, not exceeding five thousand dollars, of the money thus transferred, for the purpose of completing the revision of the State series of text-books, as provided in an Act entitled 'An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund,' approved March 9, 1893."

Also: Amend by striking out of Section 2, line 1, the word "immediately" and inserting in lieu thereof the following: "January first, nineteen hundred."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Beecher, Bliss, Blood, Brooke, Brown, Clark, Clough, Conrey, Cowan, Crowder, Crowley, De Lancia, Dibble, Glenn, Hanley, Hoey, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Lardner, Lundquist, Mack, McDonald of Alameda, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milne, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Raw, Rickard, Robinson, Sanford, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, White, Works, Wright, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 139 ordered to reëngrossment and enrollment.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly enrolled: Assembly Bill No. 1015—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes—and was presented to the Governor on March 18th, at eleven o'clock and fifty minutes P. M.

RICKARD, Chairman.

Mr. Dibble moved to temporarily suspend the reading of Senate messages.

So ordered.

RESOLUTIONS.

By Mr. Mead:

Resolved, That the thanks of the Assembly are hereby tendered to Speaker Anderson for the able, impartial, and uniformly courteous manner in which he has discharged the arduous duties of presiding officer.

Resolution adopted unanimously.

By Mr. Caminetti:

WHEREAS, Owing to the constant care, unremitting labor, and legislative learning and experience of Hon. Henry C. Dibble, the work of this Assembly has been systematized, the labors of the members materially lightened, and the public business greatly advantaged, therefore, be it

Resolved, That the thanks of this Assembly be and the same are hereby tendered to Hon. Henry C. Dibble for the valuable aid and assistance the members and attaches of the Assembly have, during the entire session, received from him.

Resolution adopted unanimously.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 726 and 733.

Assembly Bill No. 726—An Act to declare the Silver Lake wagon road, commencing at Pine Grove, in Amador County, and running thence across the summit of the Sierra Nevada Mountains, via Silver Lake to Lake Tahoe, a State highway.

Assembly Bill No. 733—An Act making an appropriation to pay the claim of J. E. Edson.

And were presented to the Governor March 19, 1899, at twelve o'clock and forty-five minutes A. M.

RICKARD, Chairman.

COMMUNICATION.

OFFICE OF SECRETARY OF STATE, SACRAMENTO, CALIFORNIA, March 18, 1899.

To the Assembly of the State of California:

GENTLEMEN: *In re* resolution by Mr. Johnson, introduced in the Assembly March 15, 1899, as follows:

“*Resolved*, That the Secretary of State be and he is hereby directed to furnish to each member of the Assembly one copy of the published debates of the Constitutional Convention of 1879.”

I beg leave to announce that the members of the Assembly will be furnished each with a copy of said debates by calling at the Head Janitor's office in State Capitol building.

CHARLES F. CURRY, Secretary of State.

Ordered printed in the Journal.

MOTION.

Mr. Caminetti moved that the Assembly do now resume the consideration of Senate messages.

So ordered.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the immediate return, for correction, of Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

Also: Respectfully refused to concur in Assembly amendments to Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 5 of Article XI, relative to the compensation of county and township officers—and requests that your honorable body recede therefrom, and that in case of non-receding the Senate has appointed Senators Smith, Bulla, and Sims as a committee of conference on behalf of the Senate to meet a like committee from the Assembly.

Also: Denied second reading to Assembly Bill No. 128—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same, for the transfer of prisoners thereto, and government of the inmates thereof.

Also: Herewith return, as fully passed, Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

Also: Passed Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State, at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Also: Adopted Assembly Joint Resolution No. 20—Relative to an inquiry into the alleged servitude in Siberia of Ira Whitney and companions.

Also: Passed Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named, in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Also: Passed Assembly Bill No. 1005—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Passed Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Also: Passed Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Enquirer of Alameda, California, for advertising the constitutional amendments.

Also: Passed Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Also: Passed Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation to pay for the transportation of insane for the forty-ninth fiscal year.

Also: Passed Assembly Bill No. 606—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth fiscal year.

Also: Passed Assembly Bill No. 607—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the fiftieth fiscal year.

Also: Passed Assembly Bill No. 697—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and the State officers for the fiftieth fiscal year.

Also: Passed Assembly Bill No. 625—An Act making an appropriation of \$5,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk and suitable fences along California and Park streets in the City of Stockton, around the lands occupied by the State Hospital.

Also: Passed Assembly Bill No. 754—An Act making an appropriation to pay the deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year.

Also: Passed Assembly Bill No. 1011—An Act to amend Sections 146 and 161 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Passed Assembly Bill No. 1012—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Passed Assembly Bill No. 1010—An Act to amend Section 186 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Senate Constitutional Amendment No. 21 ordered on unfinished business file.

Assembly Bills Nos. 423, 435, 303, 1005, 828, 907, 248, 605, 666, 667, 697, 625, 754, 1011, 1012, and 1010, and Assembly Joint Resolution No. 20 ordered to enrollment.

At eleven o'clock and fifty minutes P. M. the Speaker resumed the chair.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1899

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry—and respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Mr. Caminetti moved that the Assembly do now take up Assembly Bill No. 368.

So ordered.

Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Mr. Caminetti moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out the words "three thousand," on line 3. Section 1, page 1, printed bill, and inserting in lieu thereof the word "twenty."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Beecher, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Cobb, Conrey, Cowan, Crowley, Dale, De Lancey, Dibble, Dunlap, Fairweather, Feltz, Greenwell, Hanley, Hoey, Huber, Johnson, Kenneally, Knights, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Meserve, Milice, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—47.

NOES—Mr. Barry—1.

Assembly Bill No. 368 ordered to reëngrossment and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for "repairs to the Capitol building and furniture, etc."

Also: Assembly Bill No. 604—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Also: Assembly Bill No. 605—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Also: Assembly Bill No. 605—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture for the fiftieth fiscal year.

Also: Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

And respectfully ask the concurrence of your honorable body in said amendments.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 695—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture for the fiftieth fiscal year.

Mr. Valentine moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 3, line 1, the word "immediately," and inserting the following: "January first, nineteen hundred."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Beecher, Blood, Boynton, Brooke, Burnett, Caminetti, Clough, Cobb, Conrey, Cosper, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Hanley, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Merrill, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Robinson, Stewart, Valentine, White, Works, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 695 ordered to reëngrossment and enrollment.

Assembly Bill No. 664—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the forty-eighth fiscal year.

Mr. Knights moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 3, line 1, the word "immediately," and inserting the following: "January first, nineteen hundred."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Crowley, Dale, De Lancey, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Miller of Los Angeles, Miller of San Francisco, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, White, Works, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 664 ordered to reëngrossment and enrollment.

Assembly Bill No. 665—An Act making an appropriation to pay the deficiency for stationery, fuel, light, and supplies for the Legislature and State officers for the forty-ninth fiscal year.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 3, line 1, the word "immediately," and inserting in lieu thereof the following: "January first, nineteen hundred."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Boone, Boynton, Brooke, Burnett, Caminetti, Cargill, Cobb, Conrey, Cosper, Cowan, Crowley, De Lancey, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Johnson, Kelley, Kelsey, Kenneally, Knights, Knowland, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, Miller of Los Angeles, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, Wardell, White, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 665 ordered to reëngrossment and enrollment.

Assembly Bill No. 606—An Act making an appropriation to pay the deficiency in the appropriation for “repairs to the Capitol building and furniture, etc.”

Mr. Clough moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 3, line 1, the word “immediately,” and inserting the following: “January first, nineteen hundred.”

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Barry, Beecher, Boone, Boynton, Burnett, Cargill, Cobb, Cospier, Crowley, Dale, De Lancie, Dibble, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Tuolumne, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—43.
NOES—None.

Assembly Bill No. 606 ordered to reëngrossment and enrollment.

Assembly Bill No. 696—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of furniture and carpets in the Capitol building for the fiftieth fiscal year.

Mr. Kenneally moved that the Assembly do now concur in the following Senate amendment:

Amend by striking out of Section 3, line 1, the word “immediately,” and inserting the following: “January first, nineteen hundred.”

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Beecher, Brooke, Brown, Cargill, Clough, Cobb, Conrey, Cospier, Crowder, Crowley, Dale, De Lancie, Dibble, Dunlap, Fairweather, Feliz, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Robinson, Stewart, Eugene Sullivan, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, Wright, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 696 ordered to reëngrossment and enrollment.

MOTION.

Mr. Dibble moved that Senate Bills Nos. 724, 725, 287, and 459 be now taken up and placed on their final passage.

So ordered.

THIRD READING OF BILLS.

Senate Bill No. 724—An Act entitled “An Act to amend Section 756 of the Political Code of the State of California, and providing for the amount, and the time, and the manner of payment of and making an appropriation to pay the salaries of the chief deputy clerk and the deputy clerks of the Clerk of the Supreme Court.”

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Bliss, Boynton, Brooke, Brown, Cargill, Cobb, Conrey, Cospier, Cowan, Crowley, De Lancie, Dibble, Dunlap, Feliz, Greenwell, Griffin, Hanley, Hoey, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, McDonald of Alameda, McDonald of Tuolumne, McKeen, Melick, Merrill, Milice, Miller of San Francisco, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—45.
NOES—Messrs. Burnett, Dale, and Fairweather—3.

Title read and approved.

Senate Bill No. 725—An Act entitled “An Act to amend Section 751 of the Political Code of the State of California,” and providing for the appointment of a chief deputy clerk and five deputy clerks of the Clerk of the Supreme Court.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Boynton, Brooke, Brown, Cargill, Clough, Cobb, Cospier, Cowan, Crowley, Dale, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelsey, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McDonald of Tuolumne, McKeen, Meserve, Milice, O'Brien, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, and Mr. Speaker—42.

NOES—Messrs. Burnett and Melick—2.

Title read and approved.

Senate Bill No. 287—An Act to amend Section 501 of the Civil Code of the State of California, relating to street railroad cars.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Boynton, Brooke, Burnett, Cargill, Clark, Clough, Cobb, Cospier, Cowan, Crowder, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kelley, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, White, Works, and Mr. Speaker—48.

NOES—Mr. Barry—1.

Title read and approved.

Senate Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Attorney-General, for the fiftieth fiscal year.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Beecher, Brooke, Brown, Burnett, Clough, Cobb, Cospier, Cowan, Crowley, Dale, De Lancia, Dibble, Dunlap, Fairweather, Feliz, Greenwell, Griffin, Hanley, Henry, Hoey, Huber, Johnson, Kenneally, Knights, Knowland, Le Baron, Mack, McDonald of Alameda, McKeen, Melick, Meserve, Milice, O'Brien, Pierce, Robinson, Stewart, E. D. Sullivan, Valentine, Wade, Wardell, Works, and Mr. Speaker—43.

NOES—None.

Title read and approved.

CORRECTION OF JOURNAL.

Mr. Johnson moved that the vote whereby the Journal of Wednesday, March 8, 1899, was approved be reconsidered.

So ordered.

Mr. Johnson moved that the Journal of March 8, 1899, be corrected so as to show that Senate Bills Nos. 558, 559, and 560 were each read the first time previous to Mr. Dibble making his motion that they be placed on Senate special file.

So ordered.

Journal of March 8, 1899, as corrected, was then approved, on motion of Mr. Johnson.

RESOLUTION.

By Mr. Valentine:

Resolved, That C. W. Kyle, H. S. Wanzer, and J. L. Scotchler be instructed and employed to remain in Sacramento after the close of the Legislature, and prepare a Final History of the proceedings of the Assembly during the present session; that for so doing the sum of \$150 be allowed said C. W. Kyle, and the sum of \$100 each be allowed said H. S. Wanzer and J. L. Scotchler; and the further sum of \$50 be allowed said C. W. Kyle for the purpose of mailing said Histories to the members of the Legislature, and other proper persons, and for other expenses in connection therewith; and the State Controller is hereby directed to immediately draw his warrants in favor of said persons and in said sums against the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay said warrants.

Read and adopted.

Also:

Resolved, That C. W. Kyle, Chief Clerk of the Assembly, and H. T. Smith, Assistant Clerk of the Assembly, be each allowed the sum of \$50 (under the provisions of Section 261 of the Political Code).

Read and adopted.

By Mr. Johnson:

Resolved, That the Chief Clerk be and he is hereby instructed to cause a certified copy of the resolutions of congratulations to Hon. A. Caminetti, adopted by the Legislature of 1898, upon the successful enactment of the bill known as the "Caminetti bill," relating to mining and river interests. Also, a certified copy of the resolutions of the Assembly in honor of the Hon. H. C. Dibble, adopted March 18, 1899, and presented to the Hon. A. Caminetti and the Hon. H. C. Dibble respectively. The State Controller is directed to draw his warrant in favor of the Chief Clerk for the sum of \$25 out of the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same, for the engrossment of said resolutions.

Read and adopted.

By Mr. Caminetti:

Resolved, That E. D. Thomas be allowed the sum of \$50 as payment for overtime work and additional services rendered the thirty-third session of the California Legislature, and for assisting in the completion of unfinished clerical committee work after the adjournment of the Legislature, and the Controller is hereby directed to immediately draw his warrant against the Contingent Fund of the Assembly in said amount, in favor of said E. D. Thomas, and the State Treasurer is hereby directed to pay said warrant.

Read and adopted.

By Mr. Johnson:

Resolved, That C. O. Wellock and H. A. Wright be and they are hereby employed for one week after final adjournment, at their regular per diem, to complete the work of the enrolling and engrossing departments. The Controller is hereby directed to draw his warrant on the Contingent Fund of the Assembly for the said amount, and the Treasurer is directed to pay the same.

Read and adopted.

REPORT OF COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution by Mr. Henry:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same for the sum of \$353 15 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per attached summary.

Tom Scott	\$8 50	
Tom Scott	12 00	
		\$20 50
Ed. O'Neill	\$9 25	
Washing towels	9 90	
Buffalo Ice Co.	20 00	
		39 15

Capital Water Co.	\$63 00	
Capital Water Co.	18 00	\$81 00
Sunset Telephone Co.	\$14 30	
Sunset Telephone Co.	6 00	20 30
Capital Transfer Co.	\$ 50	
T. R. Pulford.	11 35	
John Breuner.	43 50	55 35
Emil Steinmann.	\$2 50	
Capital Electric Works.	39 35	
United Typewriter & Supply Co.	6 00	
Frank H. Veach.	21 10	
J. L. Maude.	4 15	73 10
H. S. Crocker & Co.	\$26 00	
Sacramento Planing Mill.	32 00	
W. O. Banks.	3 25	
Post Office.	2 50	63 75
Total.		\$353 15

Also, the following resolutions by Mr. Devoto:

Resolved, That L. Davis, Journal Clerk of the Assembly, and F. J. Murphy, his assistant, be and they are hereby employed after the final adjournment of the thirty-third session of the Legislature of the State of California, for the purpose of completing the work devolving upon them as Journal Clerks of the Assembly in comparing and delivering the corrected and approved Journals and the five bound copies of the same (as required by law) to the Chief Clerk of the Assembly, when completed, and that they each be allowed the sum of \$50 from and after the final adjournment of the thirty-third session of the Legislature, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants for the same, and the Treasurer is directed to pay the same.

Resolved, That R. Q. Wickham, Minute Clerk, and Clarke Howard and A. P. Johnston, as assistants, be and are hereby employed to remain in Sacramento after final adjournment, and to properly paste together, arrange, and label the original minutes, which must be filed with the Secretary of State, and that for such services each is allowed the sum of \$100, payable out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrant for and the Treasurer to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

VALENTINE, Chairman.

Report and resolutions adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following statement by Mr. Mack:

SACRAMENTO, CAL., March 10, 1899.

The State of California to Wendell McLaughlin, Dr.

For reporting the proceedings of the committee appointed to investigate the matter of the contempt of George W. Ficks:

Per diem, one day. \$10 00
180 folios, two copies, at 25 cents. 45 00

Total. \$55 00

Have amended the same by striking out \$10 and inserting \$5 in lieu thereof, also, by striking out \$45 and inserting in lieu thereof, \$36; also, by striking out \$55 and inserting in lieu thereof, \$41, and recommend that the following resolution be adopted:

Resolved, That the sum of \$41 is hereby appropriated, the same payable out of the Contingent Fund of the Assembly; and the Controller of State is hereby directed to draw his warrant in favor of Wendell McLaughlin for said amount, and the Treasurer is directed to pay the same.

VALENTINE, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1899.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution by Mr. Hoey:

Resolved, That the sum of \$300 be appropriated from the Contingent Fund of the Assembly, in favor of A. A. Friedlander, for engrossing the resolutions in memory of the late Hon. Senator John Boggs, as adopted February 3, 1899; also, the resolution in

memory of Mrs. F. P. Meserve, adopted March 13, 1899; also, the two resolutions commending the Hon. Grove L. Johnson, as adopted February 23, 1899; and be it further

Resolved, That when said resolutions are delivered to the Controller, he is hereby ordered to draw his warrant for the above-named amount, and the Treasurer is ordered to pay the same.

Have amended the same by striking out the figures \$300, and inserting in lieu thereof the figures \$75; and recommend that it be adopted as amended.

VALENTINE, Chairman.

Resolution as amended adopted.

Mr. Lardner called up resolution *in re* John C. Wray, as printed in Journal of March 17, 1899, as follows:

WHEREAS, John C. Wray faithfully performed the duties of clerk of the Committee of Investigation from January 16 to February 9, 1899, being twenty-four days, and

WHEREAS, On February 28, 1899, the Assembly by a vote of fifty-nine to nothing agreed to pay said Wray \$96 for such services, but the Controller refused to draw his warrant for the same, as he claimed that it should have sixty-four votes; therefore,

Resolved, That the Controller is hereby directed to draw his warrant in favor of said John C. Wray for \$96 on the Contingent Fund of the Assembly, and the Treasurer is hereby authorized and directed to pay the same.

The resolution was adopted.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1899.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That for and by reason of services rendered the Assembly by L. H. Drew, as fireman, from January 3d to February 3, 1899 (both days inclusive), the Controller of State is hereby directed to draw his warrant in favor of said L. H. Drew for the sum of \$90, the same being for thirty days' services at \$3 per day, being the same rate paid all other firemen; and the State Treasurer is hereby authorized to pay said warrant out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, without recommendation.

LUNDQUIST, Chairman.

Resolution adopted.

RECESS.

At eleven o'clock and fifty-nine minutes P. M., on motion of Mr. Dibble, the Assembly took a recess until nine o'clock A. M. of March 19, 1899.

REASSEMBLED.

At nine o'clock and thirty minutes A. M. the Assembly reconvened. Speaker Anderson in the chair.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 877 and 139:

Assembly Bill No. 877 (Substitute for Assembly Bill No. 620)—An Act to provide for the construction of a free wagon road from Mount Hamilton Observatory, in Santa Clara County, to some point in Stanislaus County, where connection can be made with the best route to the Yosemite Valley, and making an appropriation therefor.

Assembly Bill No. 139—An Act to authorize the transfer of \$25,000 from the General Fund to the State School Book Fund, and providing for its expenditure.

And were presented to the Governor March 19, 1899, at nine o'clock and twenty-five minutes P. M.

RICKARD, Chairman.

MOTION.

Mr. Wright moved to call up for third reading Senate Bill No. 422. So ordered.

THIRD READING OF BILL.

Senate Bill No. 422—An Act appropriating money for the repair and improvement of the building and grounds at the Industrial Home of Mechanical Trades for the Adult Blind.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cowan, Crowley, De Lancey, Dibble, Dunlap, Griffin, Hanley, Huber, Kelsey, Knights, Knowland, Le Baron, Lardner, McDonald of Alameda, McDonald of Tuolumne, McKeen, Mead, Mehek, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Radcliff, Rickard, Robinson, Stewart, Eugene Sullivan, Wade, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

MOTION.

Mr. Dibble moved that the Assembly do now take up Senate messages. So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 18, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 538—An Act authorizing the appointment of a Commissioner of Irrigation to cooperate with the Director of the United States Geological Survey in surveys and estimates of costs of reservoirs and dams for storing flood waters for irrigation, mining, and industrial purposes, and appropriating money to carry out the provisions of this Act.

Also: Assembly Bill No. 346—An Act to amend Section 1699 of the Code of Civil Procedure, relating to the settlement of accounts of trustees and to compensation of trustees.

Also: Assembly Bill No. 765—An Act to amend an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, extending the time during which the Board of Directors may sit as a Board of Equalization.

Also: Assembly Bill No. 1008—An Act to create a joint Board of Trustees for the Whittier State School and the Preston School of Industry, to define its duties and powers, and to provide for the classification of the inmates therein.

Also: Assembly Bill No. 255—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known and numbered Section 2664, relating to highway taxes.

Also: Refused to pass Assembly Bill No. 911—An Act to amend the Political Code by adding a new section thereto, numbered 1186½, relating to the organization of committees to represent political parties at primary elections.

Also: Passed Assembly Bill No. 550—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Also: Passed Assembly Bill No. 745—An Act to abolish the office of Quarantine Officer for the Board of Health for the City and County of San Francisco.

Also: Amended, and passed as amended, Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1237, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

Also: Amended, and passed as amended, Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining claims.

Also: Amended, and passed as amended, Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done.

Also: Amended, and passed as amended, Assembly Bill No. 417—An Act to provide for the construction of a free wagon road from Tallac to McKinney's, along the western shore of Lake Tahoe, and making an appropriation therefor.

Also: Refused to pass Assembly Bill No. 692—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the general permanent powers of Boards of Supervisors.

Also: Passed Assembly Bill No. 237—An Act to compel employers to furnish surgical and medical attendance to employes injured during working hours in mills, factories, shipyards, foundries and other places where machinery is used.

Also: Passed Assembly Bill No. 878—An Act to provide for the survey, location, and construction of a public highway or wagon road from the City of Merced to the Yosemite Valley, and making an appropriation therefor.

Also: Passed Assembly Bill No. 899—An Act to enable steam railroad companies to complete their railroads and authorizing the construction of railroads.

Also: Refused to pass Assembly Bill No. 104—An Act to regulate the granting of telephone and telegraph, street railroad and electric light, heat and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns, within the State of California, and repealing conflicting Acts.

Also: Passed Assembly Bill No. 946—An Act making an appropriation to pay the claim of Thomas O. Toland, Trustee of the State Normal School of San Diego, for mileage in attending the meetings of the Joint Board of Normal School Trustees held at San José in June, 1897; at Los Angeles in April, 1898, and at Sacramento in September, 1898.

Also: Passed Assembly Bill No. 937—An Act to amend Sections 1637 and 1638 of Part III, Chapter III, Title III of the Political Code, relating to the school law of California.

Also: Passed Assembly Bill No. 525—An Act making an appropriation to pay the claim of A. L. Wood for \$300, being a reward offered for the arrest and conviction of Francisco Torres.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 538, 346, 765, 1008, 255, 550, 745, 237, 878, 899, 946, 937 and 525 ordered to enrollment.

Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1130, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 19:

Amend by striking out all after the enacting clause, on page 1, and all of pages 2, 3, and 4, and all on page 5 down to and including the word "elections," in line 13, Section 5.

Also: On page 5, change "Sec. 6" to "Sec. 1"; strike out the word "section," in line 3 of Section 6; change "Sec. 7" to "Sec. 2"; strike out the word "section" in line 3 of Section 7; change "Sec. 8" to "Sec. 3"; strike out the word "section" in line 3, Section 8, at top of page 6; change "Sec. 9" to "Sec. 4"; strike out the word "section" in line 4, Section 9; strike out all of Sections 9 and 11; change "Sec. 12" to "Sec. 5"; strike out the word "section" in line 4, Section 12, change "Sec. 13" to "Sec. 6"; strike out the word "section" in line 4, Section 13, page 11.

Also: Strike out the words "or independent" in line 11, and the word "bodies" in line 12, Section 13, page 11.

Also: Strike out the word "fourth" in line 31, of Section 13, and insert in lieu thereof the word "half."

Also: Strike out the words "designated as independent nominations" in line 59 of Section 13, and insert in lieu thereof the words "herein referred to as independent tickets."

Also: In line 61, of Section 30, strike out the words "designated in," and insert in lieu thereof the words "made pursuant to."

Also: In line 62, of Section 13, strike out the words "as party nominations."

Also: in line 63 of Section 13, strike out the words "independently nominated," and insert in lieu thereof the words "nominated under section eleven hundred and eighty-eight."

Also: In line 133 of Section 13, strike out the words "and eleven hundred and ninety-two."

Also: In line 138 of Section 13, strike out the word "body" and insert in lieu thereof "nominations."

Also: In line 140 of Section 13, after the word "office," insert the following: "The name of a candidate shall be printed only once upon the ballot, and if any candidate is nominated by more than one certificate of nomination, he must by a writing signed and verified by him, and filed with the officer where the certificate of nomination is filed, choose which of such party designations he desires to have his name printed under. Such writing, if filed with the Secretary of State, must be filed at least twenty-seven days before the day of election; if filed with a County Clerk or other officer it must be filed at least fourteen days before the day of the election, and if any such candidate shall not so choose, his name shall be placed upon the ballot under the designation of the party named in the certificate of his nomination which was first filed."

Also: Change "Sec. 14" to "Sec. 7"; strike out the word "section" in line 3, Section 14; change "Sec. 15" to "Sec. 8"; strike out the word "section" in line 3, Section 15; change "Sec. 16" to "Sec. 9"; strike out the word "section" in line 3, Section 16; change "Sec. 17" to "Sec. 10"; strike out the word "section" in line 4, Section 17; strike out all of Section 18; change "Sec. 19" to "Sec. 11"; strike out the word "section" in line 3, Section 19; strike out all of Section 20; strike out all of Section 21; change "Sec. 22" to "Sec. 12."

Also: Amend title of bill by striking out the figures "1083," "1094," "1113," "1115," "1130," "1187," and "1198."

Also: Amend by striking out of the title to the printed bill the figures "1258" and the figures "1174."

Also: Amend by striking out of the title to the printed bill the words and figures "and to repeal Section 1258 thereof."

Also: Amend by striking out all of Section 12 of the printed bill as amended, to wit: "Sec. 12. This Act shall take effect immediately."

Also: Strike out all of Section 4 of the printed bill, including the sheets called "tally lists."

Also: In Section 4, line 21, strike out the words "said County Clerk," and insert in lieu thereof the words "proper officer."

Also: In line 134 of Section 6, after the word "election," insert the words "or where a nominee has been assigned to, or has chosen another column pursuant to the provisions of this Act."

Also: In line 150 of Section 6, strike out the word "be," and insert in lieu thereof the word "have."

Also: Change "Sec. 5" to "Sec. 4"; "Sec. 6" to "Sec. 5"; "Sec. 7" to "Sec. 6"; "Sec. 8" to "Sec. 7"; "Sec. 9" to "Sec. 8"; "Sec. 10" to "Sec. 9"; "Sec. 11" to "Sec. 10."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Beecher, Blood, Brooke, Brown, Caminetti, Glyn-oweth, Clark, Clough, Cobb, Conrey, Cowan, Dale, Devoto, Dibble, Dunlap, Griffin, Kelley, Knights, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Muenter, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Wade, Wright, and Mr. Speaker—42.

NOES—Mr. Burnett—1.

Assembly Bill No. 19 ordered to reengrossment and enrollment.

Assembly Bill No. 325—An Act relating to the liens of miners and others upon mining claims.

Mr. Dibble moved that the Assembly do now concur in the following Senate amendments to Assembly Bill No. 325:

Amend by striking out the whole of subdivision 11, on lines 82 to 89 inclusive, page 3, printed bill.

Also: By striking out of Section 2, page 4 of printed bill, the words "from and," after the word "effect," and before the word "after," and inserting the following: "six months."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Brooke, Brown, Burnett, Caminetti, Glyn-oweth, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Crowder, Dale, Devoto, Dibble, Dunlap, Griffin, Hanley, Johnson, Knights, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merritt, Meserve, Milce, Miller of Los Angeles, Miller of San Francisco, Radcliff, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 325 ordered to reengrossment and enrollment.

Assembly Bill No. 385—An Act regulating the mode of operating mines where blasting is being done.

The question being on the concurrence of the Assembly in the Senate amendments to Assembly Bill No. 385.

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Arnerich, Atherton, Brooke, Brown, Burnett, Caminetti, Clark, Clough, Cobb, Conrey, Cosper, Cowan, Dale, De Lancie, Devoto, Dibble, Dunlap, Hanley, Johnson, Kelsey, Kenneally, Knowland, Le Baron, Lardner, McDonald of Tuolumne, McKeen, Mead, Melick, Merrill, Merritt, Milce, Miller of Los Angeles, Miller of San Francisco, Radcliff, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 385 ordered to reengrossment and enrollment.

MOTION.

Mr. Knowland moved to consider Senate Bill No. 318.
So ordered.

THIRD READING OF BILL.

Senate Bill No. 318—An Act appropriating the sum of \$2,345 75 to pay the claim of Messrs. Goodall, Perkins & Co. against the State of California, for loss of merchandise by the collapse of a portion of Pier 9 in the City and County of San Francisco, California.

Read third time.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Arnerich, Atherton, Blood, Boone, Brooke, Brown, Caminetti, Chynoweth, Clark, Clough, Cobb, Conrey, Cowan, Crowder, Dale, De Lencie, Devoto, Dibble, Dunlap, Griffin, Hanley, Johnson, Kelsey, Kenneally, Knights, Knowland, La Bree, Le Baron, Lardner, Marvin, McDonald of Tuolumne, Melick, Milce, Miller of Los Angeles, Miller of San Francisco, Muenter, Raw, Stewart, Eugene Sullivan, Valentine, Wade, and Mr. Speaker—42.

NOES—Mr. Burnett—1.

Title read and approved.

CORRECTION OF JOURNAL.

Mr. Wade moved that the vote whereby the Journal of March 3, 1899, was approved be reconsidered.

So ordered.

Mr. Wade moved to correct the Journal of March 3, 1899, on pages 20 and 21, to show that Assembly Bill No. 300 was read second time just preceding the report of the Committee of the Whole.

So ordered.

The Journal of March 3, 1899, was approved as corrected.

MOTION.

Mr. Johnson moved that the Chief Clerk certify to Mr. Dibble an engrossed copy of the resolution of thanks of the Assembly to Mr. Dibble; and also certify an engrossed copy of resolution passed in 1893 thanking Mr. Caminetti for efforts in behalf of the "Caminetti bill."

Motion carried, and so ordered.

Mr. Dibble moved that the Assembly do now take up Senate messages.
So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 19, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 692—An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the general permanent powers of Boards of Supervisors.

F. J. BRANDON, Secretary of Senate.

By E. W. MICHAELIS, Assistant Secretary.

RECESS.

At ten o'clock A. M., on motion of Mr. Dibble, the Assembly took a recess until ten o'clock and five minutes A. M. of March 19, 1899.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Sunday, March 19, 1899. }

The Assembly met at ten o'clock and five minutes A. M.
Speaker Anderson in the chair.

ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Arnerich, Atherton, Barry, Beecher, Bliss, Blood, Boone, Boynton, Brooke, Brown, Burnett, Caminetti, Cargill, Chynoweth, Clark, Cobb, Cospier, Cowan, Dale, De Lancia, Devoto, Dibble, Hanley, Hoey, Jilson, Johnson, Kelley, Kelsey, Kenneally, Knowland, La Barea, Le Baron, Lardner, Lundquist, Marvin, McDonald of Tuolumne, McKeen, Melick, Merrill, Merritt, Meserve, Milice, Miller of Los Angeles, Miller of San Francisco, Muentner, Pierce, Radcliff, Raw, Rickard, Robinson, Stewart, Eugene Sullivan, Valentine, Wade, Wardell, Works, Wright, and Mr. Speaker—58.

Quorum present.

READING AND APPROVAL OF JOURNAL.

The Journal of Friday, March 17, 1899, was read and approved.

CORRECTION OF JOURNALS.

Mr. Johnson moved that the vote whereby the Journals of February 9, 13, and 14, 1899, were each approved be reconsidered.

So ordered.

Mr. Johnson moved to correct each Journal so as to show that the title to Senate Bill No. 133, as read, was as follows:

An Act adding two new sections to the Political Code of this State, to be numbered 1118 and 1119, concerning elections, providing for registration for primary elections.

Mr. Johnson moved to approve Journals of February 9, 13, and 14, 1899, as corrected.

So ordered.

Mr. Valentine moved that the vote whereby the Journal of February 20, 1899, was approved be reconsidered.

So ordered.

Mr. Valentine moved to correct the Journal of February 20, 1899, on page 12, to show that the title to Senate Bill No. 211 was read and approved.

So ordered.

The Journal of February 20, 1899, was approved as corrected.

Mr. Valentine moved that the vote whereby the Journal of February 21, 1899, was approved be reconsidered.

So ordered.

Mr. Valentine moved to correct the Journal of February 21, 1899, in the following particulars:

On page 10 to show that Assembly Bill No. 353 was read third time.

On page 11 to show that Assembly Bill No. 617 was read third time.

On page 17 to show that Senate Bill No. 127 was read second time.

On page 20 to show that Assembly Bills Nos. 651, 416, and 206 were each read third time.

Motion carried, and so ordered.

The Journal of February 21, 1899, was approved as corrected.

MOTION.

Mr. Dibble moved that the thanks of the Assembly be extended the Democratic minority for courteous treatment during the session.
So ordered.

COMMITTEE TO WAIT UPON GOVERNOR.

Mr. Wade moved that a committee of three be appointed to wait upon the Governor and inform him that the Legislature is about to adjourn, and ask if he has any further communication to make to the Assembly.
Motion carried, and it was so ordered.

The Speaker appointed as such committee Messrs. Wade, Cobb, and Caminetti.

COMMITTEE TO WAIT UPON SENATE.

Mr. Melick offered the following:

Resolved, That the Speaker appoint a committee of three to wait upon the Senate and inform that body that the Assembly is ready to adjourn and awaits its further pleasure.

Resolution adopted.

The Speaker appointed as such committee Messrs. Miller of Los Angeles, Melick, and Works.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 19, 1899.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the immediate return of Assembly Bill No. 692 for further consideration.

F. J. BRANDON, Secretary of Senate.
By E. W. MICHAELIS, Assistant Secretary.

Assembly Bill No. 692 ordered returned to the Senate.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1899.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 92—An Act to provide for additional improvements at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

And was presented to the Governor March 19, 1899, at ten o'clock and twenty minutes A. M.

Also: Assembly Bill No. 1005—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 19—An Act to amend Sections 1083, 1094, 1113, 1115, 1190, 1131, 1160, 1164, 1174, 1187, 1188, 1196, 1197, 1205, 1210, 1211, 1257, 1258, and 1259 of the Political Code, and to repeal Section 1228 thereof, all relating to elections.

And were presented to the Governor March 18, 1899, at ten o'clock and fifty-five minutes A. M.

Also: Assembly Bill No. 303—An Act making an appropriation to pay mileage to A. E. Pomeroy, Percy R. Wilson, J. Marion Brooks, and T. P. Lukens from Los Angeles to the cities named, in attending the joint meetings of the Normal School Boards held at San José June 27, 1897, and at Sacramento December 14, 1898.

Also: Assembly Bill No. 728—An Act appropriating money to pay the expenses of maintaining an exposition to be held in the City and County of San Francisco in 1901, to be known as the Pacific Ocean and International Exposition, and appropriate money therefor.

Also: Assembly Bill No. 435—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State, at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Also: Assembly Bill No. 248—An Act making an appropriation to pay the claim of Olive R. Chapman, arising upon a judgment recovered against the State of California, in the Superior Court of the City and County of San Francisco, on August 8, 1895.

Also: Assembly Bill No. 368—An Act to appropriate money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Also: Assembly Bill No. 907—An Act making an appropriation to pay the claim of the Daily Encinal of Alameda, California, for advertising the constitutional amendments.

Also: Assembly Bill No. 828—An Act making an appropriation to pay the claim of the Argus Publishing Company, for advertising constitutional amendments.

Also: Assembly Bill No. 423—An Act to amend Section 1 of an Act entitled "An Act to authorize, empower, and direct the California Home for the Care and Training of Feeble-Minded Children to admit idiots, epileptics, and mentally enfeebled paralytics into said institution; to provide for the support of all inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

And were presented to the Governor March 19, 1899, at ten o'clock and fifty-nine minutes A. M.

RICKARD, Chairman.

MOTION.

Mr. Dibble moved to take up Governor's messages.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 18, 1899. }

To the Assembly of the State of California:

A solemn duty required of you as Assemblymen still remains unperformed. You have been elected as agents of the people not only to pass necessary and judicious laws, but as well to choose a United States Senator to serve the State in Congress. As such representatives you were elected, not to voice the desires of particular localities, but to carry out the will of the great majority of our people for their greatest possible good. Your personal feelings, your especial likes and dislikes, should therefore be subordinated to the sense of public duty. The people demand a United States Senator.

During the last political campaign no subject was of higher importance than the question of sustaining or opposing the plan of territorial expansion and the general national policy of our great President. That will of the majority of the people of this State, of all political predilections, as expressed at the polls, was in favor of the National Administration; and you were, in effect, instructed by that splendid majority to elect a Senator in accord with the views of the President.

The demand of the people being thus strongly manifested, no diversity of opinion, no private discords, should be permitted to prove an obstacle to the fulfillment of the popular desire.

In view of the great territorial expansion westward in the Pacific Ocean, the commercial interests of this State are too vast and its political position too important to be now impaired by your failure to choose a national representative.

The power to select a Senator is vested in you by the Constitution, by the law, and by the people, and the people require at your hands the exercise of that high prerogative.

And now, at the close of your session, in the discharge of my solemn duty as your Executive, I beseech you to disregard and discard your individual prejudices—your personal disagreements—and to obey the people's behest. I implore you, not as partisans, but as distinguished representatives standing upon the high plane of American citizenship, and as the agents of the great majority of the people who elected you, and also as the guardians of the minority of our people whom you likewise represent, to execute *at this time* the popular demand.

I implore you to falter no longer in the discharge of your high duty; to select for the State a proper representative for the United States Senate; to rise above the antagonisms which have been engendered during your long session; and to choose for the people a man fully equipped, mentally and morally, for the great office of United States Senator—a man of distinguished abilities and virtue, a man in whom the people will perceive just grounds for confidence—a man who will best subserve our commercial and political interests, and represent the dignity of our people.

HENRY T. GAGE,
Governor of the State of California

Ordered printed in the Journal.

COMMITTEE FROM THE SENATE.

Senators Morehouse, Davis, and Sims appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

APPROVAL OF MINUTES.

The minutes of Saturday, March 18, 1899, were read, corrected, and approved.

The minutes of Sunday, March 19, 1899, were read and approved.

ADJOURNMENT SINE DIE.

At ten o'clock and fifty-five minutes A. M., the Speaker delivered a valedictory, and, after a benediction by the Chaplain, declared the Assembly adjourned *sine die*.

ALDEN ANDERSON,
Speaker.
F. E. DUNLAP,
Speaker pro tem.

C. W. KYLE,
Chief Clerk.

R. Q. WICKHAM,
Minute Clerk.

L. DAVIS,
Journal Clerk.